

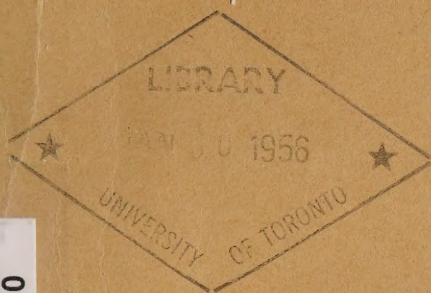
CAI  
FØ

A92

-10M

Canada, Chief Electoral Officer

Government  
Publications



CANADA

# BY-ELECTION INSTRUCTIONS FOR RETURNING OFFICERS

WITH A DISCUSSION

OF THE

RIGHTS AND OBLIGATIONS OF CANDIDATES

AND

A SPECIAL CONSOLIDATION OF THE

CANADA ELECTIONS ACT

MADE PURSUANT TO SECTION 109 THEREOF

*(Applicable only at by-elections)*

(BOOK A35)

Published by the Chief Electoral Officer

January 1, 1956

To be obtained on application to the Queen's Printer, Ottawa

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1956

Price, \$1.00



3 1761 11554107 0





CA1  
EØ  
-A92



CANADA

# BY-ELECTION INSTRUCTIONS FOR RETURNING OFFICERS

WITH A DISCUSSION

OF THE

RIGHTS AND OBLIGATIONS OF CANDIDATES

AND

A SPECIAL CONSOLIDATION OF THE  
CANADA ELECTIONS ACT

MADE PURSUANT TO SECTION 109 THEREOF

*Applicable only at by-elections*

(BOOK A35)

Published by the Chief Electoral Officer

---

January 1, 1956

---

To be obtained on application to the Queen's Printer, Ottawa

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1956



### NOTE

The distribution of this book of By-Election Instructions is made gratuitously to candidates under an Order in Council by virtue of which any person who, after the occurrence of a vacancy, is officially nominated as a candidate or publicly declares himself to be a candidate at a by-election, is entitled, upon request to the appropriate returning officer, to be supplied with twenty-five copies. Further copies of this book may be obtained from the Queen's Printer at the price stated on the cover.



# TABLE OF CONTENTS

	PAGE
PREFATORY SUMMARY.....	5
INTRODUCTORY. Paras. 200 to 202.....	9
PART I.—BY-ELECTION INSTRUCTIONS FOR RETURNING OFFICERS. Paras. 203 to 330.	
1. General.....	11
2. Preliminary Duties.....	20
3. Initial Duties When By-Election Ordered.....	26
4. Enumeration in Urban Polling Divisions.....	29
5. Printing and Distribution of Urban Preliminary Lists.....	33
6. Enumeration in Rural Polling Divisions.....	37
7. Printing and Distribution of Rural Preliminary Lists.....	40
8. Revision of Urban Preliminary Lists.....	43
9. Revision of Rural Preliminary Lists.....	46
10. Anticipatory Preparation for Poll.....	48
11. Nomination of Candidates.....	57
12. Procedure in Case of Acclamation.....	59
13. Organization of Poll.....	60
14. Transfer Certificates, Advance Poll Certificates, etc.....	66
15. Conduct of Poll.....	71
16. Payment of Certain Election Officers by Warrants.....	76
17. Procedure in Case of Recount.....	78
18. Storing Empty Ballot Boxes.....	80
19. Return to the Writ.....	80
20. Candidates' Election Expenses.....	82
21. Qualifications and Disqualifications of Electors at a By-Election.....	82
22. Ordinary Residence of Electors.....	85
23. Statement Relating to Canadian Citizens and British Subjects.....	87
Tariff of Fees for Election Officers, etc.....	94
Numerical Table of Forms and their Code Words.....	99
List of Supplies No. One.—Forms, etc., for use by Returning Officers and Candidates.....	102
List of Supplies No. Two.—Forms, etc., for use by Urban Enumerators.....	105
List of Supplies No. Three.—Forms, etc., for use by Rural Enumerators.....	106
List of Supplies No. Four.—Forms, etc., for use by Revising Officers.....	107
List of Supplies No. Five.—Forms, etc., for use by the Deputy Returning Officer at an Ordinary Poll.....	108
List of Supplies No. Six.—Forms, etc., for use by the Deputy Returning Officer at an Advance Poll.....	109
Diary of Duties of Returning Officers.....	110
PART II.—RIGHTS AND OBLIGATIONS OF CANDIDATES AND THEIR OFFICIAL AGENTS. Paras. 350 to 398.	
1. Introductory.....	115
2. Nominating Urban Enumerators.....	115
3. Official Agents and Election Campaign Finance.....	116
4. Agents Other than the Official Agent.....	119
5. Relations with Election Officers.....	119
6. Obtaining Blank Forms, etc.....	120
7. Nomination of Candidates.....	120
8. Preparation and Revision of the Lists of Electors.....	121
9. Proceedings on Nomination Day.....	121
10. Arrangements for Poll.....	122
11. Advance Polling Station.....	123
12. Election Offences.....	123
13. At and After the Counting of Votes.....	125
14. Return of Election Expenses.....	127
15. Diary for Candidates and their Official Agents.....	130
CANADA ELECTIONS ACT (modified in consolidation for use at by-elections).....	132
INDEX.....	268

TABLE OF CONTENTS

Page

5

9

11

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

Digitized by the Internet Archive  
in 2022 with funding from  
University of Toronto



## PREFATORY SUMMARY

A by-election is commenced by the issue of a writ in Form No. 1 of the *Canada Elections Act* directing the returning officer therein named to hold the nomination of candidates and the poll on the dates specified in such writ.

Immediately upon receipt of the writ the returning officer publishes a Proclamation giving to the electors notice of the dates upon which the nomination of candidates and the poll will be held and of other particulars relating to the by-election. The returning officer then makes the necessary arrangements for the preparation of the lists of electors, which are prepared entirely anew for each by-election.

The lists of electors are prepared in one of two different ways according to the urban or rural character of the polling divisions to which such lists relate. Urban polling divisions are those comprised in incorporated cities or towns the population of which is 5,000 or more. All polling divisions not comprised in such cities or towns are rural, unless they are specially directed by the Chief Electoral Officer to be treated as urban.

For each urban polling division, the returning officer appoints two enumerators, men or women, who are nominated by the two candidates representing different political interests who obtained the highest and next highest number of votes at the next preceding federal election in the electoral district, or by the representatives of such candidates.

Beginning on Monday, the 35th day before polling day, it is the duty of each pair of urban enumerators jointly to prepare as complete and correct a preliminary list as possible of the names of the electors entitled to vote in the polling division for which they have been appointed. For this purpose it is their duty to make a joint house-to-house visitation in their polling division and to leave at each duly enumerated elector's dwelling place a notice stating that they will include the name of such elector in the preliminary list that they are about to prepare. On Friday, the 31st day before polling day, each pair of urban enumerators must deliver or transmit to the returning officer two sworn copies of the preliminary list for their polling division.

For each rural polling division, the returning officer selects and appoints an enumerator, man or woman, to prepare and revise the list of electors for such polling division. Beginning on Monday, the 35th day before polling day, each rural enumerator must prepare as complete and correct a preliminary list as possible of the names of the electors entitled to vote in the polling division for which he has been appointed. This list will be compiled from such information as the enumerator may be able to secure during a house-to-house visitation in the polling division, or from such other sources of information that may be available to him. On Friday, the 31st day before polling day, each rural enumerator must transmit to the returning officer two certified copies of the preliminary list for his polling division.

Upon receipt of the preliminary lists from urban and rural enumerators, it is the duty of the returning officer to cause such lists to be printed; such printing to be done with all possible dispatch since it must be completed at the latest on Saturday, the 16th day before polling day. Upon the completion of the printing, the returning officer will furnish twenty copies of such preliminary lists to every candidate officially nominated at the by-election.



In urban polling divisions where the preliminary lists have been prepared in geographical order, the returning officer will, on or before Monday, the 14th day before polling day, send a printed copy of the preliminary list for the appropriate urban polling division to one elector of each group of electors having the same surname and residing in the same dwelling place, and to any other elector residing in such dwelling place and having a surname different from the surname of any such group, provided that the names of such electors appear on such preliminary list. In urban polling divisions where the preliminary lists have been prepared in alphabetical order, and in the case of any hotel, hospital, university, college or other institution, the returning officer will, at the same time, send a printed copy of the preliminary list for the appropriate urban polling division to each elector whose name appears on such preliminary list.

When the printed copies of the preliminary list for each urban polling division are sent to electors, they must contain notices with regard to the sittings for revision, to the subscribing of affidavits of objection, and to the location of the polling station established for the taking of the votes of the electors whose names appear on such list.

The urban polling divisions comprised in the electoral district will be grouped into revisal districts by the returning officer who will publish a notice of revision giving the necessary particulars. The lists of electors for each revisal district will be finally revised by a revising officer, who is either the judge, as defined in section 2 (15) of the Act, or a substitute appointed by him.

Each revising officer holds public sittings for the revision of the urban preliminary lists on Thursday, Friday, and Saturday, the 11th, 10th, and 9th days before polling day, and, subject to Rule (36) of Schedule A to section 17 of the Act, on Tuesday, the 6th day before polling day. At the sittings on the said Thursday, Friday, and Saturday, any unregistered elector entitled to vote in the revisal district may, without previous notice, apply verbally to have his name entered on the official list of electors for the polling division in which he ordinarily resides. Sworn written applications for registration of electors made by agents on their behalf will also be dealt with at the sittings on the said Thursday, Friday, and Saturday, as well as all verbal applications for correction of names or particulars of electors on the printed preliminary lists.

The revising officer has jurisdiction to strike out from the preliminary list the name of any person who is not entitled to vote in his revisal district. This jurisdiction is exercisable only on notice to the person with regard to whose qualification objection has been made by some elector entitled to vote in the revisal district. Such an elector may appear before the revising officer during his sittings on the above-mentioned Thursday and Friday only, and subscribe to an affidavit of objection, the revising officer giving notice accordingly to the person objected to. The burden of proof of disqualification rests upon the person making the objection, but the person against whose qualification the objection is directed may appear before the revising officer during his sittings for revision on Tuesday, the 6th day before polling day, and give evidence as to his qualification.

After the conclusion of his sittings, the revising officer will send to the returning officer two copies, and to each candidate in the field five copies, of the statement of the changes and additions made in the preliminary list for each urban polling division comprised in the revisal district.

For the taking of the votes at the by-election, the official list of electors for an urban polling division will consist of a copy of the printed preliminary list together with a copy of the statement of changes and additions, and, except



when a transfer certificate or a certificate issued in case of an omission of a name from the official list of electors has been obtained from the returning officer, no one whose name does not appear on such official list will be allowed to vote at the polling station established therefor.

In each rural polling division, the enumerator who prepares the preliminary list will be found between 10 a.m. and 10 p.m. (standard time) on Thursday, the 18th day before polling day, at the place mentioned in the Notice of Rural Enumeration, to revise such list. Applications to correct names in, or add names to, or delete names from, the preliminary list may be made to the enumerator at any time after the posting up of such list until 10 p.m. on the Thursday above mentioned and, on such applications, the enumerator may make whatever changes are deemed necessary to complete his preliminary list.

Immediately after the Thursday above mentioned, the enumerator sends to the returning officer five copies of the statement of the changes and additions made in his preliminary list, and the returning officer sends a copy of such statement to each candidate in the field. In a rural polling division, a copy of the preliminary list as posted up by the enumerator together with a copy of the statement of changes and additions constitute the official list of electors to be used for the taking of the votes at the by-election.

The non-inclusion of the name of a qualified elector in the official list for a rural polling division does not, however, deprive such elector of his franchise at the by-election. He may exercise it upon taking at the polling station the prescribed oath and upon being, at the same time, vouched for on oath by an elector duly entitled to vote in the rural polling division in which the applicant elector ordinarily resides and in which alone his vote can be cast.

The official nomination of a candidate is made in writing over the signatures of any ten electors entitled to vote at the by-election. With each nomination paper there is required a deposit of \$200, which is forfeited whenever the candidate fails to obtain half the number of votes obtained by the elected candidate. The consent in writing of the candidate to his being officially nominated is necessary unless he is absent from the electoral district. Nomination papers and deposits may be delivered to the returning officer at any time and place after the date of the Proclamation until 2 p.m. (standard time) on nomination day. On that day the returning officer is specially required to attend to receive them between noon and 2 p.m. (standard time) at a place, the location of which he has given notice in the Proclamation. If by 2 p.m. only one candidate has been officially nominated, such candidate is declared elected by acclamation; if more than one candidate is officially nominated, a poll is granted by the returning officer.

If a poll is granted, the returning officer will complete his arrangements for the taking of the votes in every polling division comprised in the electoral district.

An advance poll will be open between the hours of 2 and 10 p.m. (standard time) of the Thursday, Friday, and Saturday immediately preceding the ordinary polling day, but only at the places in the electoral district which are mentioned in Schedule Two to the Act. The privilege of voting at an advance poll is limited to commercial travellers, to fishermen, to persons employed on railways, vessels, airships, or other means or modes of transportation, to members of the reserve forces of the Canadian Forces, and to members of the Royal Canadian Mounted Police Force, who are entitled to vote at the by-election and whose names appear on the list of electors for any polling division of the electoral district.

For ordinary polls, at least one polling station is established for each polling division, and for each polling station the returning officer appoints a deputy returning officer, man or woman, who selects and appoints his own poll clerk. The poll remains open continuously from 8 a.m. until 6 p.m. (standard time) when the votes cast at each polling station are counted thereat, after which the ballot box containing the ballot papers and other documents is transmitted to the returning officer, who, on a later day, of which he has given notice in the Proclamation, opens the ballot boxes, totals the results received from every deputy returning officer, and certifies in writing the name of the candidate who obtains the largest number of votes.

The returning officer retains the papers during the next six days, in case of a recount being ordered by the appropriate judge. If no recount is ordered, then at the expiration of the said six days, or if one is held, immediately upon its completion, the candidate who obtained the largest number of votes is declared elected by the returning officer and a return to the writ is made to the Chief Electoral Officer, by whom a notice of the name of the elected candidate is published in due course in the *Canada Gazette*.



# BY-ELECTION INSTRUCTIONS FOR RETURNING OFFICERS

## INTRODUCTORY

**200. General Administration of By-Elections.**—By-elections are under the administrative control of the Chief Electoral Officer, who, by the *Canada Elections Act*, is made directly responsible to Parliament, instead of to the government in office, for their fair and impartial conduct. It is, among other things, the duty of the Chief Electoral Officer to issue to election officers such instructions as he considers necessary for the purpose of ensuring the carrying out of the provisions of the said Act, and this book of Instructions is issued accordingly for the guidance of returning officers in the performance of their duties. Each year, the Chief Electoral Officer is required to make a report to the Speaker of the House of Commons, directing attention to any matter arising in the course of any by-election of which an account ought in his judgment to be submitted to Parliament. To this report he is further bound to append any written complaint which a candidate or his official agent may have made with respect to the conduct of an election officer.

Authority  
for these  
Instructions.

Sec. 5.

Sec. 13 (1) (a).

Sec. 58.

**201. Purpose of these Instructions.**—The *Canada Elections Act*, like most statutes, is not so framed as to be readily understood by persons without a legal training, and some returning officers come within this category. In these Instructions, therefore, an attempt has been made to state in as simple language as possible the duties and responsibilities of returning officers, supplementing the directions of the Statute where supplement is deemed necessary, and warning against errors into which they might more or less easily be led. At page 110 will be found a Diary of Duties of returning officers. By referring to that Diary and to the paragraphs of these Instructions mentioned opposite each item of duty, the returning officer should be able to do properly all that is required of him. The following books of Instructions are issued by the Chief Electoral Officer for the guidance of subordinate election officers at a by-election, namely:

Scope of  
Instructions.

- (a) Urban Enumerators' Manual (Book I);
- (b) Instructions for Urban Enumerators (Book J);
- (c) Instructions for Rural Enumerators (Book K);
- (d) Instructions for Revising Officers (Book L);
- (e) Instructions for Deputy Returning Officers at Ordinary Polls (Book M); and
- (f) Instructions for the Deputy Returning Officer at an Advance Poll (Book O).

Suggestions  
from  
returning  
officer  
invited.

**202. Improvement of these Instructions.**—It is a very difficult task to anticipate the practical difficulties which will have to be met in the carrying out of a procedure involving the co-operation of numerous persons. The returning officer is invited to direct the attention of the Chief Electoral Officer to any errors in, or omissions from, these Instructions, in order that they may be corrected in subsequent editions.



## PART I

### BY-ELECTION INSTRUCTIONS FOR RETURNING OFFICERS

#### 1. GENERAL

**203. Returning Officers, Election Clerks, etc.**—(1) For every electoral district the Governor in Council appoints a returning officer who remains in office on a permanent basis, but who is liable to be removed therefrom under subsection (3) of section 8 of the Act. Immediately upon being notified of his appointment, the returning officer is required to swear an oath in the prescribed form (Form 2) and send it to the Chief Electoral Officer. It will not be necessary for the returning officer to swear another oath during his term of office, no matter how many federal elections he is called upon to conduct during such period. The returning officer is responsible for the efficient and impartial conduct of any by-election which may be directed to be held in his electoral district during his term of office. The returning officer is not entitled to vote at a by-election except to resolve a tie contest. The returning officer is not authorized to act as deputy returning officer or poll clerk at any polling station. No returning officer, nor his partner or clerk, may act as the official agent of any candidate.

Appointment and tenure of office, etc., of returning officer.

Sec. 9 (1, 3).

Sec. 14 (2) (c).

Sec. 10 (2).

Sec. 62 (3).

(2) The returning officer is not entitled to receive any remuneration unless a federal election is ordered in his electoral district. For the conduct of a by-election, the returning officer is entitled to receive the fees and allowances provided in Items 2 to 6 and 37 of the Tariff of Fees which is printed at page 94. After the by-election, the returning officer will prepare his account for services, etc., on the special forms that will be furnished to him by the Chief Examiner of Election Accounts, Office of the Chief Electoral Officer, Ottawa.

Remuneration of returning officer.

(3) The returning officer selects and appoints a competent person to act as election clerk. The election clerk must be entitled to vote in the returning officer's electoral district. The election clerk must also be an ordinary resident of the locality where the returning officer will open his office for the conduct of the by-election. Immediately upon his appointment, the election clerk will swear an oath in the prescribed form which is printed on the same sheet as the official appointment (Form 3). When duly completed, the official appointment and oath will be sent to the Chief Electoral Officer. The election clerk holds office during the pleasure of the returning officer. This means that his appointment may be revoked and another person appointed in his place whenever the returning officer deems it advisable. As in the case of the returning officer, the election clerk is not required to swear another oath during a continuous term of office, no matter if more than one federal

Appointment and tenure of office, etc., of election clerk.

Sec. 9.

election is ordered during such period. The election clerk is expected to familiarize himself with these By-Election Instructions (Book A 35) in order to discharge competently the duties which he may be called upon to perform. Generally, these duties consist of

- (a) acting as clerical assistant in the office of the returning officer, when requested so to do;
- (b) attending the nomination of candidates on nomination day;
- (c) attending at the office of the returning officer while the polls are open;
- (d) attending the official addition of the votes;
- (e) travelling in rural areas for the conduct of the by-election; and
- (f) standing ready at all times to act in the place and stead of the returning officer.

The election clerk is entitled to vote at a by-election, unless he is acting as returning officer, in which case he should refrain from voting, except to resolve a tie contest. During his term of office, the election clerk is required to inform the Chief Electoral Officer of the death or incapacity to act of the returning officer. In the event of the death of the returning officer or his incapacity to act during the course of a by-election, the election clerk will take charge of the conduct of such by-election until a new returning officer has been appointed. The election clerk is required to notify the Chief Electoral Officer immediately upon taking charge of the conduct of a by-election. The election clerk is not authorized to act as deputy returning officer or poll clerk at any polling station. No election clerk, nor his partner or clerk, may act as the official agent of any candidate.

Sec. 9 (5).

Sec. 9 (6).

Sec. 10 (2).

Sec. 62 (3).

Remuneration  
of election  
clerk.

(4) An election clerk is entitled to receive a remuneration only when a federal election is ordered. For his services in connection with the conduct of a by-election, the election clerk will receive the allowances provided in Items 7 to 12 of the Tariff of Fees, which are applicable to his electoral district. The election clerk is also entitled to receive the travelling allowances provided in Item 37 of the said Tariff for any journey necessarily undertaken in rural areas with regard to the conduct of a by-election. Moreover, the election clerk is eligible to receive remuneration as a clerical assistant in the office of the returning officer, and, for any such services actually performed, to be paid by the returning officer out of the allowance provided in Item 4 of the said Tariff. The election clerk's account will be prepared on plain paper, with the exception of any mileage claim which must always be made out on Form 105. Such account and claim must be certified by the returning officer before they are sent to the Chief Examiner of Election Accounts.

Clerical  
assistance  
to the  
returning  
officer.

(5) Item 4 of the Tariff of Fees provides an allowance to the returning officer for the clerical assistance required in the conduct of a by-election. However, the returning officer will only be reimbursed the amounts, not exceeding the total applicable allowance for his electoral district, that have been actually paid to his clerical assistants, as shown on the vouchers submitted with



his account. The returning officer will bear in mind that any expense incurred in the posting up of the Notice of Revision must be paid by himself out of the allowance provided in the said Item 4. The returning officer will himself select his clerical assistants. In the case of urban polling divisions where a printed copy of the appropriate preliminary list has to be mailed to various electors, the addressing of the envelopes constitutes quite a clerical task. The experience of past federal elections has shown that good results are obtained when the clerks engaged in this work are paid so much per hundred envelopes. There is no objection to the addressing of these envelopes outside of the returning officer's office. What appears to be a satisfactory rate of remuneration for this work is \$1.50 per hundred envelopes, including the folding of the lists and the sealing of the envelopes. It may sometimes be possible to get the work done for less, but even at the foregoing rate, there should always remain a sufficient amount in the allowance of the said Item 4 to provide for all the other clerical assistance required for the conduct of a by-election.

**204. Returning Officer's Functions.**—(1) The returning officer's principal duties include the appointment (and when necessary the removal) of subordinate election officers, their instruction and supervision, the printing of the preliminary lists, the selection of polling stations, the supplying of deputy returning officers with the official lists of electors, ballot papers, blank forms, and other necessary materials, the official addition of the votes, the certifying in writing of the name of the candidate who obtains the largest number of votes at such official addition, the payment by warrants of deputy returning officers, poll clerks, and landlords of ordinary polling stations, the declaration of the elected candidate, and the collection and transmission to the Chief Examiner of Election Accounts, as prescribed in paragraph 205 of these Instructions, of the accounts for services performed and expenses incurred in connection with the conduct of the by-election, the amounts of the accounts for services being determined by the Tariff of Fees. Duties of returning officer.

(2) The returning officer, during the period between the date of the issue of the writ ordering the by-election and the date of the declaration of the elected candidate, has the powers of a justice of the peace to maintain order. For this purpose, he may require the assistance of the ordinary constabulary, may obtain the help of other justices of the peace, constables, or other persons, and may arrest or cause by verbal order to be arrested, and place or cause to be placed in the custody of any constable or other persons, any person disturbing the peace and good order at the by-election. Before appointing a constable or watchman for extended duty in his office, the returning officer is required to communicate with the Chief Electoral Officer with the view of securing from him an authorization for such appointment; otherwise, the account for such services will be disallowed. The appointment of constables at polling stations will be left entirely to the discretion of the deputy returning officers. Powers of returning officer. Sec. 48 (1).

(3) During the course of the by-election, the returning officer will, on many occasions, be called upon to make decisions upon the right of certain persons to have their names included in the Qualifications and disqualifications of electors.

lists of electors and to vote in some of the polling divisions of his electoral district. The returning officer is therefore requested to familiarize himself thoroughly with the provisions of sections 14 to 16 of the Act and of paragraphs 324 to 330 of these Instructions, which deal with the qualifications and disqualifications of electors at a by-election. It must be borne in mind that a candidate who has been officially nominated is entitled to vote, but only if such candidate is qualified as an elector in the returning officer's electoral district.

Official  
list of  
electors.

(4) The list of electors to be used for the taking of the votes at the by-election will be the official list as defined in subsection (22) of section 2 of the Act. In urban polling divisions, the official lists are termed "closed lists" which means that, except when a transfer certificate (Form 44) has been obtained from the returning officer or the election clerk, or a special certificate (Form 20 or 21) has been obtained from the returning officer, no person whose name does not appear on such official lists, is entitled to vote. In rural polling divisions, the official lists are termed "open lists" which means that the non-inclusion of the name of a qualified elector in such official lists does not deprive such elector of his franchise. He may exercise it upon taking at the polling station the prescribed oath (Form 49) and upon being at the same time vouched for on oath (Form 50) by a qualified elector whose name appears on the official list for the rural polling division in which the applicant elector ordinarily resides, and in which alone his vote can be cast.

Rules to be  
observed in  
the appoint-  
ment of  
subordinate  
election  
officers.

(5) Special care will be exercised by the returning officer in the appointment of his subordinate election officers, such as election clerk, enumerators, deputy returning officers, etc. In making these appointments the returning officer should not overlook the provisions of section 100 (1) of the Act which prescribe that none of the following persons may be appointed election officers, that is to say:

- (a) members of the Queen's Privy Council for Canada or of the executive council of any province of Canada;
- (b) members of the Senate or of the Legislative Council of any province of Canada;
- (c) members of the House of Commons, or of the Legislative Assembly of any province of Canada, or of the Council of the Northwest Territories or the Yukon Territory;
- (d) ministers, priests or ecclesiastics of any religious faith or worship;\*
- (e) judges of the courts of superior, civil or criminal jurisdiction, judges of any county or district court, or bankruptcy or insolvency court, and any district judge of the Exchequer Court on its Admiralty side, and in the Yukon Territory and the Northwest Territories, police magistrates, excepting a judge upon whom the Act confers special powers;
- (f) persons who have served in the Parliament of Canada in the session immediately preceding the by-election or in the session in progress at the time of such by-election;

---

\* Not applicable in the electoral districts mentioned in Schedule Four printed at page 267.



- (g) persons who have been found guilty by the House of Commons, or by any court for the trial of controverted elections, or other competent tribunal, of any offence or dereliction of duty in violation of the Act or any provincial Act relating to elections, or under the *Disfranchising Act*;
- (h) persons convicted of any indictable offence; and
- (i) aliens.

Furthermore, section 100 (2) of the Act prescribes that no person may be appointed returning officer, election clerk, enumerator, deputy returning officer, poll clerk, or revising officer, unless such person is qualified as an elector in the electoral district within which he is to act.

(6) Section 15 of the Act prescribes that persons who are employed for pay or reward on behalf of a candidate at the by-election, at which such persons would otherwise be entitled to vote, are disqualified from voting. However, this statutory provision provides for certain exceptions one of which enables a candidate to employ, during the period of the by-election, on advertising, clerical, stenographic, and messenger duties, one person for each five hundred electors in the electoral district without the loss of the right to vote by such person. The name, address, and occupation of every such person so employed will be communicated in writing to the returning officer by the official agent of each candidate. Before the opening of the poll on polling day, it is the duty of the returning officer to communicate such name, address, and occupation to the deputy returning officer of the appropriate polling station.

Persons employed for pay or reward by a candidate.

(7) The hours of the day and all other references to time in these Instructions relate to standard time.

Hours of the day.  
Sec. 2 (14).

**205. Channels of Communication.**—On all matters of procedure the returning officer will communicate with the Chief Electoral Officer, but all accounts for services and expenses and all inquiries dealing with such accounts or with the Tariff of Fees, should be transmitted to the Chief Examiner of Election Accounts, in the special envelopes (Forms 69 and 70) that will be furnished by the Chief Examiner to the returning officer. If such special envelopes cannot be used, the returning officer will send the parcels containing accounts, etc., to the Chief Electoral Officer, Attention Chief Examiner of Election Accounts.

Channels of communication.

**206. Letters and Telegrams.**—Mail matter addressed to the Chief Electoral Officer will be carried post free, with the exception of registered mail matter on which will have to be affixed a postage stamp covering the registration fee only. A returning officer who carefully reads these Instructions and carries out in their order the duties described in the successive paragraphs should, ordinarily, have sufficient time to correspond by letter. The returning officer will no doubt find it convenient to send urgent communications to the Chief Electoral Officer by air mail. In such case, however, the required postage stamps will have to be affixed. Communications by telegraph and long distance telephone with the Chief Electoral Officer may be resorted to only if time does not permit of the use of the mails.

Letters, telegrams, etc.

Sec. 13 (3).

Election  
forms and  
supplies.

**207. Forms, Supplies, and Special Mail Bags.**—(1) A numerical table of all the forms for use at the by-election, and their code words, will be found at page 99, and at the end of Part I will be found the following six lists, namely: List of Supplies No. One for returning officers and candidates, at page 102; List of Supplies No. Two for urban enumerators, at page 105; List of Supplies No. Three for rural enumerators, at page 106; List of Supplies No. Four for revising officers, at page 107; List of Supplies No. Five for the deputy returning officer at an ordinary poll, at page 108; and List of Supplies No. Six for the deputy returning officer at an advance poll, at page 109. The Chief Electoral Officer will first transmit to the returning officer the forms mentioned in Parcel A of List of Supplies No. One, together with those mentioned in Parcel C and in Lists of Supplies Nos. Two and Three for distribution to urban and rural enumerators.

Classifi-  
cation of  
forms for  
trans-  
mission.

(2) The remaining forms and supplies will be sent from time to time, as required. They will be dispatched in parcels or special mail bags, each containing the supplies of a particular category, which will be indicated on the tag attached to each parcel or special mail bag. Forms relating only to rural enumeration will not be sent to a returning officer having only urban polling divisions, or vice versa, and forms relating only to advance polls will be omitted from parcels dispatched to the returning officer within whose electoral district no advance poll is authorized to be established. The special mail bags will be retained by the returning officer and used, after the by-election, for the transmission to the Chief Electoral Officer of documents and unused supplies, as indicated in the Third and Fourth Lots of paragraph 321 of these Instructions. Each special mail bag bears a serial number and the special mail bags that the returning officer receives will be charged to him and must therefore be accounted for.

Special  
mail bags.

Supplies for  
distribution  
to candi-  
dates.

(3) The supplies that make up Parcel B of List of Supplies No. One, which will be dispatched to the returning officer immediately after the issue of the writ ordering the by-election, consist of copies of this book of By-Election Instructions (Book A 35), of forms of nomination paper, of forms for the return of election expenses, and of forms for the appointment of a candidate's agent at a poll. These supplies will be distributed by the returning officer in the following manner:

Nomination  
papers.

- (a) five copies of the form of nomination paper (Forms 27, 28), to which each candidate is entitled, will be delivered, upon request, to him or to his representative at any time after the said Parcel B has been received. It is essential that these forms be used in all cases, as they have been drawn in such a manner as to prevent mistakes in the preparation of the official nomination papers, and the returning officer's responsibility in accepting nominations will thus be much reduced. When delivering forms of nomination papers, the returning officer will inform the candidate or his representative that the only prefixes to the Christian names of candidates which may be inserted in the heading of the nomination papers are those of "Right Honourable" for members of the Imperial Privy



Council, and "Honourable" for members of the Canadian Privy Council; and that nomination papers bearing any designating letters after the surnames of the candidates will not be accepted. The returning officer will also inform the candidate or his representative that, unless specially authorized by the Chief Electoral Officer, the occupation given by a candidate in the heading of his nomination paper must be briefly stated and must correspond to the occupation under which such candidate is known in the place of his ordinary residence; Sec. 21 (6).

- (b) each person reasonably expected to be officially nominated as a candidate at the by-election is entitled, upon request, to receive gratuitously from the returning officer twenty-five copies of this book of By-Election Instructions (Book A 35); and By-Election Instructions.
- (c) three copies of each of the forms for the making of the return of election expenses (Forms 61-64), together with two copies, for each polling station in the electoral district, of the form provided for the appointment of a candidate's agent at a poll (Form 100), should be furnished to the candidate or to his representative only after the candidate has been officially nominated. Forms relating to return of election expenses, etc.

The initial shipment of the above-mentioned supplies will be sufficient for four candidates. If it is likely that more than four candidates will be officially nominated at the by-election, the returning officer should immediately request the Chief Electoral Officer to forward additional supplies.

(4) The various forms and supplies for a polling station, mentioned in the first part of Lists of Supplies Nos. Five and Six, are enclosed in a large envelope, and the returning officer will receive a sufficient number of these envelopes to furnish one to each polling station established in his electoral district. Enclosed in each large envelope will be found a small envelope (Form 88) containing the following articles: (a) two black lead pencils, each with string attached; (b) two pen handles; (c) two pen nibs; (d) two sheets of blotting paper; (e) one box of thumb tacks; and (f) a sufficient supply of gummed paper seals (Form 116). The returning officer will add in the ballot box the forms and supplies mentioned in the second part of Lists of Supplies Nos. Five and Six. As stated in paragraph 5 of his Instructions, the deputy returning officer for each polling station will provide at his expense a Bible or a New Testament and the necessary ink. Polling station forms and supplies.

(5) The returning officer for an electoral district comprising urban polling divisions will receive, in Parcel K of List of Supplies No. One, a sufficient number of pads of affidavits of qualification (Form 42) for the urban polling stations established in his electoral district. These affidavits are mentioned in the second part of Lists of Supplies Nos. Five and Six. When the ballot boxes are being prepared for delivery to deputy returning officers for urban polling stations, the returning officer will place one of these pads of affidavits in the ballot box for every such polling station. These affidavits are not applicable to rural polling stations. Affidavits of qualification for urban polling stations.

Checking  
and stamp-  
ing forms.

**208. Checking and Stamping Forms.**—The forms and supplies received by the returning officer from time to time should be carefully checked as they are received and if there is any deficiency, the Chief Electoral Officer will be notified without delay by letter, if time permits, and by telegram if it does not. In Parcel A of List of Supplies No. One, a rubber stamp will be supplied for the purpose of stamping the name of the electoral district on the forms upon which it should appear; all forms used by the returning officer, including the envelopes (Form 140), if any, which call for its insertion, should be stamped before being filled in and issued. The forms to be used by subordinate election officers, such as enumerators, deputy returning officers, etc., should not be so stamped.

Code words

**209. Use of Code Words.**—In the several Lists of Supplies referred to in paragraph 207(1) of these Instructions, there appears opposite each form a code word for use in any telegraphic communication sent to the Chief Electoral Officer, in which it may be necessary to refer to the form in question. The use of the code word will not only be an economy, but will prevent mistakes.

Payment of  
by-election  
expenses.

Sec. 60.

**210. Expenses for Conducting By-Election.**—The general principle governing the payment of expenses relating to the conduct of the by-election, except in the cases of deputy returning officers, poll clerks, and landlords of ordinary polling stations, who are paid by special warrants, and of the returning officer's clerical assistants who are paid by himself out of the allowance provided in Item 4 of the Tariff of Fees, is that each election officer and each other person by whom duties have been performed, is paid by separate cheque sent from Ottawa to the payee after the receipt by the Chief Examiner of Election Accounts of an account made out by the claimant and certified by the returning officer as having been regularly incurred and being properly payable. The forms for the accounts of election officers have been carefully drawn with a view to making correspondence unnecessary, thus rendering it possible to dispatch the cheques promptly.

Request by  
returning  
officer for  
advance.

**211. Advance.**—In view of what is stated in the preceding paragraph, the returning officer should not ordinarily require to disburse a large sum of money for the conduct of the by-election, but expenditures may sometimes have to be met in cash in order that the necessary steps may be promptly and efficiently taken. In such case, the returning officer may obtain an advance by informing the Chief Examiner of Election Accounts of the amount of cash required. Communication with the Chief Examiner of Election Accounts on this subject should not be delayed until the returning officer is faced with immediate necessary expenditures and is compelled to resort to a telegraphic request for funds.

Use of  
postage  
stamps, etc.,  
in urban  
polling  
divisions.

**212. Sundry Expenses.**—(1) One of the expenses that will have to be met in cash is the purchase of postage stamps. In urban polling divisions, supplies will generally be delivered direct to enumerators and ballot boxes direct to deputy returning officers, except in small urban places that are situated outside



the place in which the office of the returning officer is located, where the supplies and ballot boxes will be transmitted by registered mail. In cities, the returning officer may find it necessary, during the course of the by-election, to send a notice of some kind to his subordinate election officers, such as enumerators and deputy returning officers, and to the landlords of polling stations. Whenever the returning officer desires to send any such communications, postage stamps will be required, but in most cases ordinary postcards on which he will have the necessary information printed, will suffice. Whenever such postcards are printed, the returning officer will obtain an account from the printer, certify to it, and transmit it, with a sample printed postcard, to the Chief Examiner of Election Accounts.

(2) In rural polling divisions it may not be necessary to communicate with subordinate election officers, as in urban polling divisions, since the various covering letters supplied may ordinarily suffice. Postage stamps, however, will have to be secured for other purposes. In the first place, stamps will have to be affixed to the envelopes containing the Proclamation, the Notice of Grant of a Poll, or the Notice of Holding of Advance Poll sent by ordinary mail to postmasters, and to every package of supplies sent by registered mail to each rural enumerator, as well as to the special letters of instructions. Also, the postage stamps to be affixed to any ballot box sent by registered mail will have to be paid by the returning officer. The Statute prescribes that ballot boxes sent by registered mail by deputy returning officers to the returning officer after the by-election are to be carried free of postage, but the postage, at parcel post rates; plus registration fee, must be paid by the returning officer on the ballot boxes that he sends by mail to his deputy returning officers.

In rural  
polling  
divisions.

(3) In all polling divisions, both urban and rural, the election fees warrants issued to deputy returning officers, poll clerks, and landlords of ordinary polling stations will be sent by ordinary mail, and the purchase of the necessary postage stamps will have to be met in cash by the returning officer.

Postage  
stamps  
to transmit  
warrants.

(4) Whenever any postage stamps or postcards are required in connection with the conduct of the by-election, the returning officer will purchase them from the nearest postmaster, from whom he will obtain a receipt for his purchase. This receipt will be kept by the returning officer until after the by-election, and then attached to his account as a voucher. Care will be taken by the returning officer to see that all postage stamps and postcards charged in his account have been used in connection with the conduct of the by-election.

Procedure  
on purchase  
of postage  
stamps.

(5) Since covering letters and various kinds of envelopes are supplied for almost every purpose, the returning officer should not have to incur much expense for stationery. However, printed letterheads and envelopes, according to the specimens supplied by the Chief Examiner of Election Accounts, may be ordered locally by the returning officer. Whenever such printing is ordered, the returning officer will obtain an account from the printer, certify to it, and transmit it, with a sample letterhead and envelope, to the Chief Examiner of Election Accounts.

Stationery.

Moreover, a reasonable allowance will be granted for other stationery required for the conduct of the by-election, if an itemized voucher is attached to the returning officer's account.

Oaths:  
Procedure to  
be followed.

Sec. 105.

**213. Swearing of Oaths.**—Except the oaths which the Act prescribes before whom they are to be taken, any oath required to be taken in connection with the conduct of a federal election may be sworn not only before the judge of any court, any magistrate, any justice of the peace, any notary public, or any commissioner for taking affidavits in the province, but also before the returning officer, the election clerk, any postmaster, any revising officer, any deputy returning officer, or any poll clerk. The proper way to swear any written oath, prescribed by the Act, is for the administering officer to ask the deponent if he has read the oath that he is about to take; if not, the administering officer will read it audibly before him. The deponent will then be asked to sign the oath in the space provided for that purpose, or, if it is already signed, to acknowledge his signature. The administering officer will then ask the deponent to swear the oath upon a Bible or a New Testament. Certain persons who have either no religious belief, or have conscientious scruples against taking oaths, are permitted to make an affirmation, and in such cases the procedure is the same except that the form is "You solemnly affirm" instead of "You swear", the words "So help you God" are omitted, and no Bible or New Testament is required. The appropriate form must always be complied with. Any person who signs a statement that an affidavit or declaration has been sworn or affirmed before him without having required the deponent actually to swear or affirm is guilty of an offence and liable to punishment. The procedure for an oath or affirmation which is not in writing is as follows: The oath will be read audibly before the deponent by the administering officer, and then sworn upon a Bible or a New Testament, or affirmed as above directed. All oaths, affirmations, affidavits, or declarations relating to the conduct of a federal election will be administered gratuitously.

Sec. 105 (2).

## 2. PRELIMINARY DUTIES

Polling  
divisions.

Sec. 11.

**214. Boundaries of Polling Divisions.**—(1) For the conduct of the by-election, it will not be necessary to make a general revision of the boundaries of the polling divisions. The returning officer is required to proceed with the polling divisions that were adopted for the conduct of the last general election in the electoral district. However, if it is deemed necessary to make some slight changes in the polling division boundaries and if these changes meet with the approval of the local political organizations, the returning officer should communicate the details of such changes to the Chief Electoral Officer who may grant the necessary authorization. In this connection, the attention of the returning officer is drawn to the provisions of Item 2 of the Tariff of Fees.

Urban and  
rural polling  
divisions.

Sec. 12.

Sec. 13 (1) (d).

(2) Polling divisions are either urban or rural. The returning officer will be notified by the Chief Electoral Officer of the areas in the electoral district in which the polling divisions fall within one or the other of these classes. Urban polling divisions are those contained in incorporated cities and towns



having a population of 5,000 or more, and those in such other places as the Chief Electoral Officer may direct to be treated as urban by reason of the density of the population or of the high proportion of transients likely to be found therein; all other polling divisions are rural. Sec. 2 (38).  
Sec. 2 (35).

**215. Returning Officer's Record Book.**—The returning officer will, as soon as possible, enter in his record book (Form 89) the numbers and names of the polling divisions established in his electoral district and the names and addresses of the urban and rural enumerators as they are appointed. After the issue of the writ ordering the by-election, the names and addresses of the landlords of the polling stations will be entered in the record book as soon as the selections are made. The names and addresses of the deputy returning officers will be entered in the record book as they are appointed. The entries in the record book should be made in time for the distribution of the ballot boxes to the various polling stations. During the course of the by-election the record book will be completed by the addition of the other entries which are required to be made in it as the various steps are taken. Such entries will be carefully and promptly made in order that the record book may accurately show everything that has been done. There is no reason why interested persons should not be given any of the information contained in the record book or allowed to inspect it if it is convenient to permit them to do so. Returning officer's record book.

**216. Travelling by Returning Officer.**—(1) The allowance set out in Item 37 (c) of the Tariff of Fees, which is printed at page 98, covers all the necessary travelling undertaken in connection with the conduct of the by-election in urban polling divisions. The directions contained in the following subparagraph and in paragraphs 217 to 223 of these Instructions apply almost exclusively to rural polling divisions. Travelling in urban polling divisions.

(2) For travelling by road in rural polling divisions, the returning officer will receive the allowance set out in Item 37 (a) of the Tariff of Fees, for each mile necessarily travelled, and will be reimbursed his actual and reasonable living expenses, as shown by vouchers. For travelling by air, rail, water, or by land, the returning officer will, instead of the said allowance, be reimbursed the expenses necessarily and reasonably incurred, as shown by vouchers. Travelling in rural polling divisions.

**217. Travelling by Road.**—A mileage allowance will be made only for the shortest distance between two places, unless the deviation is explained in the proper column of the travelling expense account (Form 105) and was made for the purpose of convenience and economy. Any journey undertaken by the returning officer in his electoral district must be continuous, that is he will not return home after visiting a few places and then cover the same ground again to visit places farther away but in the same direction. Travelling expense accounts showing such duplication of travel will not be paid. Mode of travelling by road.

**218. Travelling Zones.**—When it is necessary to visit every part of the electoral district, the returning officer is not expected to remain away from the place of his residence until he has Establishment of travelling zones.

visited all the localities. In such case, the electoral district should first be divided into separate travelling zones each containing a group of localities that can conveniently be visited on the same journey and from where the returning officer may return home after he has completed his inquiries. In dividing his electoral district into such zones, the returning officer will first carefully consider the layout of the roads in the district in order that the necessary travelling may be done as speedily and as economically as possible.

Limitation  
of travel.

**219. Limitation of Travel.**—For the conduct of the by-election, one trip by the returning officer to the various localities of his electoral district should be sufficient. On that trip, the returning officer should be able to select the enumerators, deputy returning officers, and polling stations. It is not obligatory that the oaths of office of the enumerators and deputy returning officers be sworn before him. In rural areas especially, these election officers, on receipt of their official appointments, may have their oaths of office sworn before a postmaster, a justice of the peace, a notary public, a magistrate, or a commissioner for taking affidavits in the province, all of whom are directed by section 105 (2) of the Act to administer such oaths gratuitously.

Special trips.

**220. Special Trips.**—During the course of the by-election it may be necessary for the returning officer to make special trips to various points in his electoral district to straighten out difficulties arising out of the preparation of the lists of electors or to replace deputy returning officers, etc. The returning officer will see that such extra travelling is done only in cases of absolute necessity. The returning officer is required to specify the reason for every trip in the proper column of the travelling expense account (Form 105).

Travelling  
by air.

**221. Travelling by Air.**—No travelling by air will be undertaken by the returning officer, the election clerk, or a messenger, unless it has been specially authorized by the Chief Electoral Officer. Travelling by air should be resorted to only in very remote areas which cannot with convenience be covered by any other mode of communication. Whenever air travel is deemed absolutely necessary, the returning officer will seek to obtain the required authorization by communicating by letter or telegram with the Chief Electoral Officer, mentioning the numbers or names of the polling divisions which have to be covered by air, the approximate number of miles to be travelled, and the cost of the entire trip. The returning officer may be able to make use of established air routes to reach those remote areas, and this fact should be mentioned in the communication to the Chief Electoral Officer. If no established air routes are operating at the time of the by-election, it may be necessary to charter a special aircraft. In this event, the returning officer will secure an estimate of the cost of the proposed trip from each company operating aircraft in his district, and submit these estimates, together with the other details above referred to, to the Chief Electoral Officer. If it appears to the returning officer that the person or persons submitting the lowest estimate are not properly outfitted to carry out the undertaking, the Chief Electoral Officer will be informed accordingly. The account for travel by



air should first be submitted to the returning officer by whom the expenditure was incurred. The returning officer will certify such account before transmitting it to the Chief Examiner of Election Accounts.

**222. Travelling by Election Clerk or Messenger.**—Any travelling zone, laid out by the returning officer as directed in paragraph 218 of these Instructions, and which he himself is unable to cover, may be covered either by the election clerk or another person for the purpose of selecting enumerators, deputy returning officers, and polling stations. If, in order to make these selections, the returning officer sends any one other than his election clerk, such person will be appointed and paid as a messenger. Any travelling undertaken by the election clerk or by a messenger is subject to the directions given in these Instructions. The returning officer will make sure that, unless absolutely necessary, the same ground is not covered by himself and the election clerk or a messenger. When sent by the returning officer to cover a travelling zone, the election clerk or the messenger will be entitled to the same travelling allowances as the returning officer. For his services, when necessarily employed in travelling, for each day of not less than six hours of necessary absence from the place of his residence, the election clerk or the messenger will be entitled to the allowance set out in Item 12 or 34 (a) of the Tariff of Fees, which are printed at pages 94 and 97. What is meant by a "day of not less than six hours of necessary absence" mentioned in the said Items 12 and 34 (a) is that the election clerk or the messenger must be absent from home, in connection with the conduct of the by-election, for a period of six hours on a given day in order to be entitled to the said *per diem* allowance. When the election clerk or the messenger is absent from home during the full period of 24 hours on a given day, he is only entitled to the said *per diem* allowance.

**223. Travelling Expense Accounts.**—The claims for mileage will be made on the travelling expense account (Form 105), and the date of each journey, point of departure, point of arrival, and the reason for every journey will be specified in the appropriate columns of the said account. The mileage allowance for any necessary trip will be made only to one person. If the returning officer travels by road with his election clerk or a messenger, they will not both be entitled to the mileage allowance. If the mileage allowance provided by the Tariff of Fees for any journey is less than the expenses actually incurred, the claim may be made on the back of the travelling expense account (Form 105) on the basis of the actual expenses incurred, and such claim will be allowed if the expenses appear to have been reasonably and necessarily incurred. In any such case, however, the claimant will attach to his account a proper voucher for all payments made of one dollar and over. The travelling expense accounts must be carefully prepared and every necessary detail must be clearly stated in the appropriate columns. The returning officer will certify to the correctness of every travelling expense account. The travelling expense accounts from the returning officer, election clerk, or from any messenger must be sent at the same time to the Chief Examiner of Election Accounts.

Time for  
selection.

Sec. 17,  
Sch. B,  
Rule 1.

**224. Selection of Rural Enumerators, etc.**—(1) Upon being instructed by the Chief Electoral Officer, the returning officer should make up his mind as to the person, man or woman, in each rural polling division whom he will appoint to act as rural enumerator. Rural enumerators are selected by the returning officer himself. Only in extraordinary circumstances and with the prior approval of the Chief Electoral Officer will more than one polling division be allotted to a single enumerator. In order that the preparation, printing, and revision of the lists of electors may be completed in the prescribed period of five weeks before polling day, all rural enumerators should be selected before the date of the issue of the writ ordering the by-election or immediately thereafter.

Qualifica-  
tions, resi-  
dence, etc.

Sec. 17,  
Sch. B,  
Rule 2.

(2) Special care should be exercised by the returning officer in selecting only persons who are competent to discharge the duties of rural enumerators. It is advisable that each person appointed be resident in the polling division for which he is to act. If it is impossible to secure the services of a competent person residing in the polling division to act as rural enumerator, the returning officer may appoint a person residing in another polling division to act in that capacity. In any event, each rural enumerator must be entitled to vote at the by-election. Rural enumerators are not entitled to travelling allowances.

Sec. 100 (2).

Procedure on  
selection.

(3) The returning officer will proceed to make all necessary inquiries in order that his list of prospective rural enumerators may be completed as soon as possible. In doing so, the returning officer must bear in mind that a rural enumerator cannot act for more than one polling division, except as provided in subparagraph (1) of this paragraph. The consent of the persons who are to act should always be obtained, but there is no objection to the selections being treated as confidential until after the issue of the writ ordering the by-election, when the official appointment of the enumerators can be made.

Supplying of  
advance copy  
of Book K.

(4) As soon as a rural enumerator has been selected and has agreed to act, he should be supplied with an advance copy of the Instructions for Rural Enumerators (Book K). A sufficient supply of these books to make this advance distribution will be sent to the returning officer in Parcel C of List of Supplies No. One. Special envelopes (Form 123) are supplied in the said Parcel C for the purpose of sending these books to the enumerators. In any event, a copy of the Instructions for Rural Enumerators (Book K) should always be enclosed amongst the forms mentioned in List of Supplies No. Three which will be sent in due course to each enumerator.

Official  
appoint-  
ments.

(5) The official appointment of rural enumerators cannot be made until after the writ ordering the by-election has been issued, but, in anticipation of its issue, the list of prospective rural enumerators should be completed as soon as possible, since after the issue of such writ there may not be time to make the necessary selections properly. The official appointment of rural enumerators is more fully dealt with in paragraphs 243 and 245 of these Instructions.



(6) When selecting rural enumerators, the returning officer should also decide whom he will appoint as deputy returning officer for each rural polling station. Deputy returning officers and premises to be used as polling stations are selected by the returning officer himself. The same individual may act as enumerator and deputy returning officer, and it is often advantageous to have him do so. In the selection of deputy returning officers for rural polling stations, the returning officer will bear in mind that deputy returning officers are not entitled to travelling allowances. It is necessary, therefore, that the person selected as deputy returning officer reside in the vicinity of the polling station for which such deputy will be appointed. The official appointment of deputy returning officers cannot be made until after the writ ordering the by-election has been issued. The list of the names of the proposed deputy returning officers should be prepared at the same time as the list of the names of the proposed rural enumerators, and the polling stations should also be selected at the same time. The question of the selection of polling stations and deputy returning officers is more fully dealt with in paragraphs 230, 270, 271, 272, and 274 of these Instructions.

Simultaneous selection of D.R.O.'s and polling stations.

**225. Selection of Urban Enumerators.**—(1) The selection of urban enumerators, men or women, should also be made before the issue of the writ ordering the by-election, but the selection of these enumerators is the function of the political parties. As soon as a by-election in the electoral district seems likely to be held in the near future, the returning officer will, as prescribed in the Statute, give notice of the nominating of urban enumerators to the two candidates, at the last preceding federal election in the electoral district, who represented different and opposed political interests and who obtained the highest and next highest number of votes. The notice may be given either to the candidates themselves or to their representatives, which generally means the local organizations of the two political parties between whom at the next preceding federal election the contest principally lay. Every enumerator nominated by the candidates or by their representatives must be entitled to vote at the by-election. The official appointment of urban enumerators cannot be made until after the writ ordering the by-election has been issued. This question is further dealt with in paragraph 231 of these Instructions.

Nominating by certain candidates.

Sec. 17, Sch. A, Rules 2-5.

Sec. 100 (2).

(2) The returning officer is bound to accept the nominations made by candidates or other persons entitled to put them forward, unless he considers that there is good cause for refusing to act on any nomination, in which event he must give notice to the person by whom it was made that he cannot accept the nomination and allow him twenty-four hours to make a substitute nomination. Only in extraordinary circumstances and with the prior approval of the Chief Electoral Officer will more than one polling division be allotted to a pair or to one of a pair of urban enumerators.

Nominations subject to approval of R.O.

Sec. 17, Sch. A, Rule 4.

(3) In case no nomination for a polling division is made by a candidate or other person entitled to make one, the returning officer must himself make the selection, but he is bound

R.O. selects in certain cases.

Sec. 17,  
Sch. A,  
Rule 5.

to see that, as far as possible, each pair of enumerators represents two different and opposed political interests. In practice there is no reason why the returning officer should refuse to accept any nomination, made by a person entitled to make it, at any time before the official appointment has to be made after the issue of the writ ordering the by-election, even if the statutory period for making the nomination has expired.

R.O. com-  
municates  
with  
prospective  
enumerators.

(4) The returning officer will communicate with the persons nominated as urban enumerators and assure himself that they are ready and willing to act, so that when the official appointments are made the enumeration may begin on time in every urban polling division.

### 3. INITIAL DUTIES WHEN BY-ELECTION ORDERED

Beginning of  
by-election.

Sec. 7.

**226. Commencement of By-Election.**—Immediately after a by-election has been ordered, the Chief Electoral Officer will issue a writ and send it to the returning officer who will be notified by telegram of its dispatch. Immediately upon receipt of such telegraphic notification, the returning officer will take the necessary steps to put the by-election machinery in motion. His first duty will be to send at once a telegram to the Chief Electoral Officer acknowledging receipt of the above-mentioned telegraphic notification, after which he will publish the Proclamation (Form 4) referred to in paragraphs 228 and 229 of these Instructions. Whenever the returning officer receives the writ, he will endorse it with the actual date of its receipt.

Returning  
officer's  
office.

Sec. 10 (1).

**227. Returning Officer's Office.**—For the purpose of the conduct of the by-election, the returning officer is required to open an office in some convenient place in the electoral district, the location of which must be mentioned in the Proclamation. Such office will be the centre for all the returning officer's activities in the conduct of the by-election, and has, therefore, to be maintained throughout the whole period of the by-election. Under no circumstance will such office be opened before the date of the issue of the writ ordering the by-election. The allowance for the rental of the returning officer's office in an electoral district containing less than 20,000 urban electors or wholly comprised of rural polling divisions is set out in Item 6 (b) of the Tariff of Fees, which is printed at page 94; in an electoral district containing at least 20,000 urban electors, instead of the allowance specified in the said Item 6 (b), the actual and reasonable cost as shown by voucher will be paid, if it has been approved by the Chief Electoral Officer.

Preliminary  
steps.

Sec. 18.

**228. Publication of the Proclamation.**—(1) A specimen form of Proclamation (Form 4) will be included in Parcel A of List of Supplies No. One; in this the necessary particulars will be inserted and the specimen form so completed will be handed to the printer without delay, since the Proclamation must be sent to every postmaster in the electoral district within six days after the returning officer has been officially notified of the issue of the writ ordering the by-election. In the provinces of Quebec and Manitoba, the Proclamation must be printed in both English and French on the same sheet.



(2) When the Proclamation is being prepared for printing, the place where the nomination of candidates is to be held must be selected, since notice of such place must be given in the Proclamation. This selection is made by the returning officer, but the Statute prescribes that such place should be at a court house, a city or town hall, or some other public or private building located in the most central or most convenient place for the majority of the electors in the electoral district.

Selection of  
place for  
nomination  
of  
candidates.  
Sec. 18 (1) (a).

(3) At this stage, the returning officer will also have to decide where and when the official addition of the votes will be held, since a notice to that effect must appear in the Proclamation. The official addition of the votes should be held at the earliest possible date after all the ballot boxes have been returned, and the date of this operation, therefore, hinges on the character of the electoral district. In an electoral district composed exclusively of urban polling divisions or in a densely populated electoral district, the official addition of the votes should be held within two or three days after polling day since one or two clear days after polling day should always be sufficient for the return of every ballot box. In any other electoral district, the date fixed for the official addition of the votes will depend on the time required for the return of the ballot boxes. These ballot boxes will, in most cases, be transmitted by mail, and the returning officer will allow sufficient time for the return of the ballot boxes from the most distant polling stations. The selection of the premises for the official addition of the votes is left to the discretion of the returning officer. Generally, it is advisable to hold the official addition of the votes in the office of the returning officer or in whatever premises the ballot boxes are kept after the close of the poll, provided that such premises are suitable.

Fixing of  
day and place  
for official  
addition of  
the votes.  
Sec. 18 (1) (c).

(4) The returning officer will instruct the printer to print the Proclamation on exactly the same size and quality of paper as the specimen form (Form 4). The type used in the printing of the Proclamation must as near as possible be the same as the type used on the specimen form. In calculating the number of copies of the Proclamation to be ordered, the returning officer will take into account the number of copies required for the distribution of one copy to each postmaster in his electoral district and about fifty additional copies for distribution to candidates and to the Chief Electoral Officer, as directed in paragraph 229 of these Instructions.

Printing of  
Proclamation.

(5) The allowances for the printing of the Proclamation are set out in Item 14 of the Tariff of Fees, which is printed at page 95. When arrangements are being made for the printing of the Proclamation, the returning officer will direct the attention of the printer to the said Item 14 and to the various subparagraphs of this paragraph, so that the latter may, before undertaking the work, familiarize himself with the allowances therein provided and with other relevant particulars.

Allowances  
provided for  
printing  
Proclamation.

**229. Distribution of the Proclamation.**—Within six days after the receipt of the telegraphic notification from the Chief Electoral Officer that the writ ordering the by-election has been issued, the returning officer will send by ordinary mail a copy of the Proclamation to each postmaster in his electoral district.

Proclamation,  
how  
distributed.  
Sec. 18.

With each copy of the Proclamation, there must be enclosed, in the envelope (Form 114), a special notice (Form 85) informing the postmaster of his duties in that connection. A list of the names of the post offices in the electoral district will be furnished to the returning officer by the Chief Electoral Officer. At the same time as these envelopes are sent to the postmasters, one copy of the Proclamation will be forwarded to the Chief Electoral Officer and five copies to each person who is, or at the federal election last held in the electoral district was, a candidate in the field. A sufficient supply of the special notices (Form 85) and envelopes (Form 114) will be sent to the returning officer in Parcel A of List of Supplies No. One.

Early  
selection  
of urban  
polling  
stations.

Sec. 31.

Sec. 31 (7).

Sec. 31 (6).

**230. Selection of Urban Polling Stations.**—The polling stations to be established in urban polling divisions must be selected immediately after the issue of the writ ordering the by-election, since a notice of their exact location must be given on the printed preliminary lists. Consequently, before or during the course of the enumeration, suitable premises in each urban polling division to be used as a polling station will be selected. The returning officer will see that all polling stations selected are easily accessible to the electors. Polling stations must in every case be on the ground floor of the building, and preferably in one of the front rooms. The polling station must be located in the polling division, but whenever the returning officer is unable to secure suitable premises to be used as a polling station within a polling division, he may, with the prior permission of the Chief Electoral Officer, establish such polling station in an adjacent polling division. Moreover, if deemed advisable, the returning officer may, with the prior permission of the Chief Electoral Officer, establish a central polling place where the polling stations of all or any of the polling divisions of any locality may be centralized, but no central polling place so established shall comprise more than ten polling divisions unless it is the usual practice in a locality to establish a central polling place for civic, municipal or provincial elections and it is desirable in the opinion of the Chief Electoral Officer to follow that practice. At this stage, the returning officer will not know the urban polling divisions in which the number of names on the official list will exceed 350, but this does not matter since every additional polling station to be established for a large urban polling division must be located in the same building or in an adjoining building. These arrangements for polling stations must, of course, be conditional upon the poll being required. The allowance for the rental of polling stations is set out in Item 32 of the Tariff of Fees, which is printed at page 97. Every landlord should be informed from the beginning that the rental allowance covers fuel, light, and furniture for the polling station, together with any necessary screens. The question of the selection of polling stations is further dealt with in paragraphs 270 to 272 of these Instructions. If, after the preliminary lists have been printed, it becomes impossible to hold the poll in any polling station selected as above directed, another selection will be made, and the electors concerned will be notified accordingly by post-cards; all the candidates officially nominated at the by-election should also be notified.



## 4. ENUMERATION IN URBAN POLLING DIVISIONS

**231. Appointment of Urban Enumerators.**—While the Proclamation is being printed, the returning officer for an electoral district containing urban polling divisions will appoint, on the appropriate forms (Form 5), two enumerators, men or women, for every such polling division. These enumerators must be selected in accordance with the directions set out in paragraph 225 of these Instructions. Only one pair of enumerators will be appointed for a given urban polling division; it is only in extraordinary circumstances and with the prior approval of the Chief Electoral Officer that more than one polling division will be allotted to a pair or to one of a pair of urban enumerators. The returning officer will see that each enumerator is entitled to vote at the by-election. Each enumerator, on his appointment, is required to swear an oath of office (Form 6) which will then be detached from the form of appointment and delivered or transmitted to the returning officer. The official appointment (Form 5) must remain in the possession of the enumerator. A complete list of the names of the urban enumerators so appointed, giving the address of each, and stating the number of the polling division for which each is to act, will be prepared as soon as possible on the special form (Form 142). One copy of such list will be posted up in the office of the returning officer where it can be consulted during reasonable hours by any interested person, and one copy will be immediately dispatched to the Chief Examiner of Election Accounts.

Appointment of urban enumerators.

Sec. 17, Sch. A, Rule 1.

Sec. 100 (2).

Sec. 17 (3).

**232. Instructing Urban Enumerators.**—(1) Upon their appointment, the returning officer will instruct each pair of enumerators, in the covering letter (Form 125), to commence the preparation of the preliminary list for their polling division on Monday, the 35th day before polling day. In the same letter, the enumerators will be informed of the exact dates upon which such preliminary list must be commenced, completed, posted up, and two copies thereof, together with the record books and other papers, transmitted to the returning officer. The date of the completion, etc., of the preliminary list must not be later than Thursday, the 32nd day before polling day.

Letter of instructions.

(2) The returning officer will attach to the covering letter (Form 125) the description of the boundaries of the polling division for which the pair of enumerators is to act, which must correspond to the description that will appear in the Notice of Grant of a Poll.

Boundaries of polling divisions.

(3) Amongst the supplies furnished to each pair of enumerators will be found two copies of the Instructions for Urban Enumerators (Book J) and two copies of the Urban Enumerators' Manual (Book I). The returning officer will instruct each pair of enumerators to follow closely the directions contained in each of those two books. The returning officer will decide any matter of disagreement arising between any pair of enumerators and communicate his decision to them, which they are bound to accept and apply as if it had been originally their own.

Book of Instructions.

Sec. 17, Sch. A, Rule 6.

(4) In an urban polling division wholly composed of an institution or comprised in an area in which the territory is not designated by streets, roads or avenues, or in which the residences

Alphabetical urban lists.

Sec. 17 (15).

are not designated by street, road or avenue numbers, the preparation of a geographical list is not practicable. In such case, the returning officer will instruct the enumerators to prepare the preliminary list in alphabetical order. Whenever possible, the Chief Electoral Officer will, before the issue of the writ ordering the by-election, notify the returning officer of the urban polling divisions comprised in his electoral district where the lists of electors were prepared in alphabetical order at the last federal election. If no such communication is received by a returning officer whose electoral district contains such urban polling divisions, the matter should be brought to the attention of the Chief Electoral Officer at as early a date as possible in order that, before the enumeration commences, the necessary steps may be taken to have the preliminary lists prepared in alphabetical order. Special sheets (Form 161) for making copies of the urban preliminary list in alphabetical order and special specimen lists (Form 156) showing how this alphabetical list is to be prepared by enumerators will, when required, be included in List of Supplies No. Two.

Classification  
of supplies.

**233. Urban Enumerators' Supplies.**—(1) Whenever possible, the Chief Electoral Officer will transmit the urban enumerators' supplies to the returning officer in advance of the issue of the writ ordering the by-election. Upon receipt of these supplies, the returning officer will arrange them in sets, each containing a sufficient number of every form required by each pair of enumerators. In making this distribution, the returning officer will be guided by the directions contained in this paragraph and in List of Supplies No. Two which is printed at page 105.

Forms varying  
in quantity.

(2) The forms of which the number of copies to be furnished to each pair of enumerators varies according to the number of electors in their polling division, are Form 7, Form 8 or Form 161, and Form 99. Form 7 is the record book in which the enumeration of electors is to be made. This record book is adapted for the preparation of either geographical or alphabetical lists. Each record book contains a sufficient number of sets of notices for the enumeration of 50 electors, so that, for an urban polling division in which there are 350 electors to be registered, about 8 books will be required. If there are only 200 electors in a polling division, 5 books will be sufficient, and so on. Form 8 is the sheet which the enumerators will use to prepare their draft list in geographical order and to make the necessary number of copies of their preliminary list. Form 161 is the sheet which the enumerators will use to prepare their draft list in alphabetical order and to make the necessary number of copies of their preliminary list. Fifteen copies of either Form 8 or Form 161 should be supplied to each pair of enumerators for every hundred electors in their polling division. Therefore, whenever there are 200 electors in an urban polling division, 30 copies of either form will be supplied, and when there are 300 electors, 45 copies will be supplied, and so on. To facilitate their distribution to enumerators, the sheets in Form 8 or Form 161 are stitched in sets of 15. Form 99 is the notification card which the urban enumerators are required to complete and deliver to any dwelling place where, on their first and second visits, they were unable to contact any person from



whom they could secure the necessary information. The number of these notification cards to be supplied to each pair of enumerators should be about five per cent of the estimated number of electors in their polling division.

(3) An enumerator's badge, bearing a serial number, will be supplied by the returning officer to each urban enumerator, and the serial numbers of the badges so supplied will be inserted in the proper column of the returning officer's record book (Form 89). The returning officer will be held accountable for every badge supplied to him. For their transmission, these badges will be enclosed in special cardboard boxes which the returning officer will preserve for the return of the badges to the Chief Electoral Officer, as indicated in the Fourth Lot of paragraph 321 of these Instructions.

Special  
badges.

Sec. 17,  
Sch. A,  
Rule 8.

(4) As each set of supplies is gathered, it will be placed in a large cardboard envelope (Form 126) provided for the transmission of supplies to each pair of urban enumerators, the number of the polling division for which each set is intended being inserted on the envelope. These large cardboard envelopes will be kept ready for delivery or transmission by registered mail to the enumerators as soon as they are officially appointed.

Packaging  
supplies.

(5) As soon as the returning officer is notified of the issue of the writ ordering the by-election, he will complete the covering letter (Form 125) to be sent to each pair of enumerators with their supplies in the large cardboard envelope (Form 126), and deliver or transmit these envelopes to the enumerators. The returning officer will decide which of the two enumerators will have the custody of the supplies. Urban enumerators are directed in paragraph 5(2) of their Instructions (Book J) to provide at their expense the ink, pens, and pencils required in the performance of their duties.

Transmission  
of supplies.

**234. Returns from Urban Enumerators.**—(1) The returning officer will make sure that his urban enumerators proceed with the preparation of the necessary number of copies of their preliminary lists at the proper time, which must not be later than Thursday, the 32nd day before polling day. On the following day, each pair of enumerators is required to furnish the returning officer with two copies of such list. The returning officer will ascertain that each list is complete and accurate, and that no enumerating has been done outside of the urban polling division to which it relates. He will also ascertain that each copy of the preliminary list has been severally sworn by the two enumerators according to Form 9. The returning officer will keep available for inspection in his office, in the binder (Form 129), one complete set of the typewritten preliminary lists for the urban polling divisions comprised in his electoral district, and the other set will be used for the printing of the preliminary lists, as directed in paragraph 237 of these Instructions.

Preliminary  
lists received,  
checked, etc.

Sec. 17,  
Sch. A,  
Rule 15.

Sec. 17 (4).

(2) The enumerators will also deliver to the returning officer, at the same time, in the large cardboard envelopes (Form 126) in which they received their supplies, the special badges furnished to them, the pages (Sheets B) which have been detached from the record books for the preparation of their draft lists, the used and unused record books, the unused supplies, and their

Receipt and  
disposal of  
badges, etc.

accounts: The returning officer will at once take out from such large cardboard envelopes the special badges and the accounts. The badges will be carefully checked against the entries made in the returning officer's record book (Form 89) at the time of their distribution to the enumerators, and placed in their special cardboard boxes. The accounts will be dealt with as prescribed in paragraph 236 of these Instructions. The large cardboard envelopes, which will then contain only the above-mentioned Sheets B, the used and unused record books, and the unused supplies, will be put into the special mail bags which were used to convey election supplies to the returning officer, and these bags will be stored in a convenient place until after the by-election, when such bags, together with the boxes containing the enumerators' badges, will be transmitted to the Chief Electoral Officer, as indicated in the Fourth Lot of paragraph 321 of these Instructions.

Replacing  
urban  
enumerators.

Sec. 17,  
Sch. A,  
Rule 6.

**235. Replacing Urban Enumerators.**—The returning officer may at any time replace any urban enumerator. He should do so if the enumerator is unable for any reason to do his work to the returning officer's satisfaction, but in making the new appointment the rule to ensure that each pair of enumerators represents two different and opposed political interests must be observed. Any supplies and records of work done by a replaced enumerator must be delivered, on written notice, to the returning officer or to any duly authorized person.

Examination  
of accounts.

Sec. 17,  
Sch. A,  
Rule 12.

**236. Urban Enumerators' Accounts.**—(1) The returning officer will carefully examine the account submitted to him by each pair of urban enumerators. Before certifying such account, the returning officer will carefully examine the preliminary list turned in by the two urban enumerators concerned, and if such list appears to be incomplete or to contain the name of any person who is not entitled to vote in the polling division, he will not certify the enumerators' account, but will transmit it uncertified to the Chief Examiner of Election Accounts, with a special report attached thereto stating the relevant facts.

Liability of  
returning  
officer.

Sec. 60 (4).

(2) Special care should be exercised by the returning officer in dealing with enumerators' accounts. The returning officer is responsible for the correctness of all accounts certified by him and he will, therefore, be held answerable for the account of any pair of enumerators who have wilfully omitted names of qualified electors or have padded their preliminary list with the names of disqualified or fictitious persons. The returning officer will not certify the urban enumerators' account until he has received the duly completed oaths of office of the enumerators concerned.

Certification  
and trans-  
mission to  
Chief  
Examiner of  
Election  
Accounts.

(3) After examining the enumerators' accounts, the returning officer will certify, with pen and ink and not with a rubber stamp, those of enumerators who appear to have performed their duties properly and will send such accounts, with a covering list (Form 106), to the Chief Examiner of Election Accounts. In each covering list, the several accounts mentioned must appear in the order of the polling division numbers, the attached accounts being also arranged in that order. In the preparation of any covering list, care should be taken to see that the number of the polling division is correctly inserted in each case.



(4) Urban enumerators' accounts will be paid by separate cheque sent from Ottawa to each enumerator entitled to payment. It is therefore most important that the correct Christian names, surnames, and post office addresses of both urban enumerators be given in each account. The number of the applicable polling division must be clearly stated in the heading of each account. No cheque will be sent to any urban enumerator until after the sittings of the revising officer, whose duty it is to inform the Chief Electoral Officer if any preliminary list is padded with names of disqualified or fictitious persons or if such list is incomplete.

Accounts paid direct.

Sec. 60 (3) (b).

Sec. 17,  
Sch. A,  
Rule 12.

(5) With the first consignment of urban enumerators' accounts, the returning officer will transmit to the Chief Examiner of Election Accounts a complete set of the printed preliminary lists for the urban polling divisions comprised in his electoral district. The taxation of the urban enumerators' accounts will not be undertaken until a set of such printed lists has been received.

Printed lists must accompany accounts.

## 5. PRINTING AND DISTRIBUTION OF URBAN PRELIMINARY LISTS

**237. Printing of Urban Preliminary Lists.**—(1) Forthwith upon receipt of the preliminary lists from the urban enumerators, the returning officer will cause such lists to be printed at an establishment situated in or near his electoral district. When arrangements are being made for such printing, the returning officer will direct the attention of the printer to the provisions of subsections (13) and (14) of section 17 of the Act, to every subparagraph of this paragraph, and to paragraphs 238 to 242 of these Instructions, so that the printer may, before the work is undertaken, familiarize himself with all particulars relating thereto.

Preparatory steps.

Sec. 17 (5).

(2) The printing of the urban preliminary lists must be completed not later than Saturday, the 16th day before polling day at the by-election.

Time for printing lists.  
Sec. 17 (5).

(3) The printing of the urban preliminary lists must be done according to the specimen list (Form 143 or 157) included in Parcel A of List of Supplies No. One. The returning officer will furnish copies of such specimen list to every printer who undertakes the printing of urban preliminary lists. The preliminary list for an urban polling division, no matter how few or how many names it contains, must be printed as a separate list with the proper heading, including the notices and certificate, as shown on the specimen list. No consideration will at this stage be given to the preliminary list for any urban polling division which contains more than 350 names of electors. Any necessary splitting up of such large list will be done later on by the returning officer, as prescribed in paragraph 273 of these Instructions. The names of the electors will appear on the printed preliminary lists in geographical order, as shown on the specimen list (Form 143), unless the returning officer has instructed the enumerators to prepare their preliminary list in alphabetical order, in which case the names will appear in alphabetical order, as shown on the specimen list (Form 157). The preliminary lists must be printed on paper of about the same quality as that used for the specimen lists. In both

Lists to be printed according to specimen.

cases the size of each sheet must be  $15\frac{1}{2}$  by 10 inches. The preliminary lists must be printed two columns to a page and each column must not be more than  $3\frac{1}{2}$  inches in width. A blank border about  $1\frac{1}{2}$  inches in width must be provided on both the right and left hand sides of each page. When it is possible to print the preliminary list for a given polling division, including the heading, on a single page, the printing of such list will be completed in that manner. When it is necessary to print a preliminary list on two pages, the printing must be done on a double sheet and on the first and second pages only, as shown on the specimen lists. When a preliminary list requires three or more pages, it must be printed on one side of single sheets and these sheets wired at the upper left hand corner. The type used in the printing of the preliminary lists must be approximately of the same size as the type used on the specimen lists. The name and address of the printer must be printed at the foot of the preliminary list for each polling division, as shown on the specimen lists.

Banding into sets and packaging of printed preliminary lists.

(4) When the preliminary lists for all the urban polling divisions have been printed, the copies for distribution to the Chief Electoral Officer and to candidates and for the use of the returning officer will be gathered into complete sets and properly banded, each banded set to contain a printed copy of the preliminary list for every urban polling division comprised in the electoral district. The other printed copies of the preliminary lists required by the returning officer for distribution to various electors will not be gathered into sets, but will be parcelled, by polling division, in separate packages.

Arrangements for printing urban lists.

Sec. 17 (5).

**238. Arrangements for Printing Urban Preliminary Lists.**—Arrangements for the printing of urban preliminary lists should be made in advance of the enumeration. Arrangements will be made only with a printing establishment that has the facilities for doing the work efficiently and promptly. No arrangement will be made except direct with the master printer by whom the work is to be carried out. The rate of remuneration for the printing of the urban preliminary lists is fixed by Item 13(a) of the Tariff of Fees, which is printed at page 95. Such rate of remuneration will cover the printing of the headings, including the notices and certificates, as they appear on the specimen lists (Forms 143 and 157), the number of copies of the preliminary lists required to be printed, stock, make up, press work, and proof-reading. The names of streets, roads, and avenues printed in capital letters in the body of the geographical list, as they appear on the specimen list (Form 143), will be counted as names of electors. The returning officer should draw the attention of the printer to the note printed under Item 19 of the said Tariff. The number of copies of the preliminary list to be ordered for each urban polling division is given in paragraph 240 of these Instructions.

Printing to be done from copies of enumerators' lists.

**239. Preparation of Urban Preliminary Lists for Printing.**  
—(1) The urban preliminary lists will be printed from the typewritten preliminary lists as prepared by the enumerators. Upon receipt of these lists, the returning officer will forthwith prepare them for delivery to the printer with whom arrangements have been made.

(2) The returning officer will carefully examine the heading of each preliminary list and make such corrections as may be necessary to ensure that, in the printed lists, all the headings will be as uniform as possible. The returning officer will make sure that the description of the boundaries of the urban polling division is correctly given in the space provided for that purpose in the heading of each preliminary list. If such description has been omitted from the heading of any preliminary list, the returning officer will cause it to be inserted.

Checking of headings, etc.

(3) The returning officer will carefully go over each preliminary list in order to ascertain that the names of the electors are arranged in the required geographical or alphabetical order, as the case may be, that the name, address, and occupation of each elector are correctly given, and that a consecutive number is correctly inserted opposite the name of each elector. The returning officer will score out the oath of the enumerators appearing at the end of each preliminary list and any writing or marks made by the enumerators which should not appear on the printed preliminary list. In the case of women, the returning officer will examine on the preliminary list the spaces provided for their occupations. If any pair of enumerators has failed to fill in any of these spaces in compliance with paragraph 8 (3) of their Instructions (Book J), and as shown on the various specimen lists, the returning officer will make the necessary corrections before their preliminary list is sent to the printer.

Checking details relating to electors.

(4) The returning officer will then append to the preliminary list for each urban polling division the notices with regard to the sittings for revision, to the subscribing of affidavits of objection, and to the location of the polling station, and the returning officer's certificate. For the convenience of the returning officer in preparing the preliminary lists for printing, these three notices and certificate are printed on a form (Form 145) which will be supplied to him in sufficient quantities in Parcel D of List of Supplies No. One; all the returning officer has to do is to detach the form from its heading, fill in the spaces, insert his name in the proper place, and append a copy of the applicable form at the top of the first sheet of the preliminary list for each urban polling division, as shown on the specimen list (Form 143 or 157).

Notices to electors, etc., appended to lists.

Sec. 17 (5) (a).

**240. Number of Printed Urban Preliminary Lists.—**(1) To provide for the distribution of printed copies of the urban preliminary lists to candidates, to the Chief Electoral Officer, and for the returning officer's use, etc., 125 copies will be required, unless there is a possibility that more than four candidates will be officially nominated at the by-election, in which case an additional twenty copies should be ordered for each candidate over four. As stated in paragraph 237 of these Instructions, the above-mentioned copies of the preliminary lists will be gathered into complete sets and properly banded before delivery to the returning officer.

Copies for candidates and election officers.

(2) As prescribed in paragraph 242 (1) of these Instructions, in urban polling divisions where the preliminary lists have been prepared in geographical order, a printed copy of the preliminary list for the appropriate polling division must

Copies for groups of electors, etc.

Sec. 17 (7).



be sent to one elector of each group of electors having the same surname and residing in the same dwelling place, and to any other elector residing in such dwelling place and having a surname different from the surname of any such group, provided that the names of such electors appear on such preliminary list. The returning officer will accordingly examine the urban enumerators' preliminary lists and will order the exact number of copies of each preliminary list he will require for such distribution. When ascertaining such number, the returning officer will, on the urban enumerators' typewritten preliminary lists kept for inspection in his office, insert a check mark opposite the name of every elector to whom will be sent a printed copy of the preliminary list for the appropriate polling division. The addressing of the envelopes in Form 140 could then be proceeded with while waiting for the printed preliminary lists.

Copies for  
all electors  
in certain  
cases.

Sec. 17 (7).

(3) As prescribed in paragraph 242 (2) of these Instructions, in urban polling divisions where the preliminary lists have been prepared in alphabetical order, and in the case of any hotel, hospital, university, college or other institution, a printed copy of the preliminary list for the appropriate polling division must be sent to each elector whose name appears on such preliminary list. To make this distribution in any such polling division, the returning officer will order as many extra copies of the preliminary list as there are names of electors included therein. From the urban enumerators' typewritten preliminary lists kept for inspection in the returning officer's office, the addressing of the envelopes in Form 140 may be proceeded with while waiting for the printed preliminary lists.

Number of  
copies of  
each list  
specified  
to printer.

(4) When delivering the typewritten preliminary lists to the printer, the returning officer will include a memorandum giving the exact number of copies to be printed for each urban polling division. In making his calculations, the returning officer will first take into account the 125 copies mentioned in subparagraph (1) of this paragraph and add the number of copies required for every candidate over four, plus the number of copies required in each urban polling division to make the distribution to various electors, as directed in subparagraphs (2) and (3) of this paragraph. As stated in paragraph 237 (4) of these Instructions, the extra printed copies of the preliminary lists, referred to in subparagraphs (2) and (3) of this paragraph, will not be gathered into sets, but will be parcelled by the printer into separate packages, each containing the necessary number of printed copies of the preliminary list for one polling division only. There is no objection to the printer running off additional copies of any preliminary list and disposing of them on his own account.

Copies of urban  
lists to candi-  
dates, etc.

Sec. 17 (6).

#### **241. Distribution of Printed Urban Preliminary Lists.—**

(1) After the preliminary lists have been printed, the returning officer will transmit or deliver twenty copies thereof for each urban polling division in his electoral district to every candidate officially nominated at the by-election. One complete set of the printed urban preliminary lists will be kept available in the returning officer's office, in the binder (Form 130), for inspection at reasonable times. Thirty complete sets of such lists will be

sent immediately by registered mail to the Chief Electoral Officer in one of the special mail bags, and a sufficient number of sets will be kept ready for transmission to the revising officers, in compliance with paragraph 260 of these Instructions. As directed in paragraph 242 of these Instructions, one printed copy of the preliminary list for the appropriate polling division will be sent to various electors. After the by-election, any surplus printed copies of the preliminary lists will be sent to the Chief Electoral Officer, as indicated in the Fourth Lot of paragraph 321 of these Instructions.

(2) In preparing his account for the printing of urban preliminary lists, the printer will be guided by the directions set out in paragraph 238 of these Instructions. Accounts for the printing of urban preliminary lists must be certified by the returning officer and, when transmitted to the Chief Examiner of Election Accounts, such accounts will be accompanied by a sample of the work done. Each account for the printing of urban preliminary lists must also be accompanied by the printer's affidavit in Form 10 and the returning officer's affidavit in Form 11. These two affidavits may be subscribed only before a justice of the peace, a notary public, or a commissioner for taking affidavits in the province. Copies of these forms of affidavits will be included in Parcel G of List of Supplies No. One. Printing account. Sec. 17 (14).

**242. Mailing Printed Lists.**—(1) In urban polling divisions where the preliminary lists have been prepared in geographical order, the returning officer must, on or before Monday, the 14th day before polling day, send a printed copy of the preliminary list for the appropriate polling division to one elector of each group of electors having the same surname and residing in the same dwelling place, and to any other elector residing in such dwelling place and having a surname different from the surname of any such group, provided that the names of such electors appear on such preliminary list. To groups of electors, etc. Sec. 17 (7).

(2) In urban polling divisions where the preliminary lists have been prepared in alphabetical order, and in the case of any hotel, hospital, university, college or other institution, the returning officer must, on or before Monday, the 14th day before polling day, send a printed copy of the preliminary list for the appropriate polling division to each elector whose name appears on such preliminary list. To all electors in certain cases. Sec. 17 (7).

(3) Each printed copy of the preliminary list, referred to in subparagraph (1) or (2) of this paragraph, will be enclosed in an envelope (Form 140) which is entitled to pass through the mails free of postage. A sufficient number of these envelopes (Form 140) will be furnished to the returning officer in Parcel E of List of Supplies No. One. Before any envelope (Form 140) is dispatched by mail, the name of the electoral district must be stamped thereon, in the space provided for that purpose, with the rubber stamp furnished in Parcel A of List of Supplies No. One. Dispatching printed lists. Sec. 17 (7).

## 6. ENUMERATION IN RURAL POLLING DIVISIONS

**243. Rural Enumeration.**—While the Proclamation is being printed, the returning officer whose electoral district contains rural polling divisions will appoint, on the appropriate form (Form 5), one enumerator for every such polling division; only Rural enumeration. Sec. 17, Sch. B, Rule 1.

Sec. 17,  
Sch. B,  
Rule 2.

Sec. 100 (2).

Classification  
of supplies.

Form varying  
in quantity.

Packaging  
supplies.

Official  
appointment  
of rural  
enumerators.

Sec. 17,  
Sch. B,  
Rule 1.

in extraordinary circumstances and with the prior approval of the Chief Electoral Officer will more than one polling division be allotted to a rural enumerator. The selection of rural enumerators is dealt with in paragraph 224 of these Instructions. The enumerator must be a resident of the polling division unless it is impossible to secure the services of a resident person who is competent to act. He must in any case be entitled to vote at the by-election. A rural enumerator does not as such need an office, since electors are not required to consult him except for the purpose of correcting the preliminary list as posted up, and this they can quite well do at the enumerator's residence, shop, or office. A rural enumerator is not entitled to travelling allowances.

**244. Rural Enumerators' Supplies.**—(1) Whenever possible, rural enumerators' supplies will be sent to the returning officer in advance of the date of the issue of the writ ordering the by-election. Upon receipt of these supplies, the returning officer will arrange them in sets, each to contain a sufficient number of every form required by each enumerator. In making this distribution, the returning officer will be guided by the directions contained in each subparagraph of this paragraph and in List of Supplies No. Three which is printed at page 106.

(2) The only form of which the number to be sent to each rural enumerator varies according to the number of electors in a polling division is Form 24, which will be required by the enumerator to prepare the necessary number of copies of his preliminary list. Fifteen copies of this Form 24 should be supplied to each enumerator for every 100 electors in his polling division. Therefore, whenever there are 200 electors, 30 copies of the said form will be supplied, and when there are 300 electors, 45 copies will be supplied, and so on. To facilitate their distribution to enumerators, the copies of Form 24 are stitched in sets of 15.

(3) As the sets of supplies are gathered, they will be placed in the large envelopes (Form 127) provided for the transmission of supplies to rural enumerators, and the name and address of the enumerator, and the number of the polling division for which each set is intended, will be written on each large envelope. The returning officer will take care to see that his name and address are legibly inserted in the space provided for that purpose on the face of the said large envelopes (Form 127). These envelopes will be kept ready for transmission by registered mail to the enumerators as soon as the by-election is ordered.

#### **245. Appointing and Instructing Rural Enumerators.**—

(1) The selection of the persons who are to act as rural enumerators should, as indicated in paragraph 224 of these Instructions, have been made in advance. Forthwith upon the issue of the writ ordering the by-election, the returning officer will send to each rural enumerator his official appointment (Form 5) and the necessary supplies. As soon as he receives his official appointment, the enumerator will swear his oath of office (Form 6), detach it from the official appointment, and send it back to the returning officer. The official appointment (Form 5) must remain in the possession of the enumerator. If, before



the issue of the said writ, care has been taken in the selection of the persons to be appointed as rural enumerators and the returning officer has assured himself that the persons whom he has selected are ready and willing to act, there should be no difficulty in having the work of preparing the preliminary lists commenced on time in every rural polling division.

(2) The official appointment of each rural enumerator will be transmitted to him with a covering letter (Form 128) which will be enclosed in the window envelope (Form 97). In that letter, the enumerator will be informed of the date of the issue of the writ ordering the by-election, the date fixed as polling day at such by-election, the date upon which he should commence the preparation of his preliminary list, and the date upon which such list must be completed, posted up, and two copies thereof transmitted to the returning officer. The rural enumerator is directed in paragraph 7 of his Instructions (Book K) to provide at his expense the ink, pens, and pencils required in the performance of his duties. Attached to the above-mentioned covering letter (Form 128), the returning officer will transmit to each enumerator the description of the boundaries of the polling division for which he has been appointed, which must correspond to the description that will appear in the Notice of Grant of a Poll. Instructions.

(3) It is not obligatory for rural enumerators to be sworn before the returning officer or the election clerk, since they may also be sworn before any postmaster, any magistrate, any notary public, any justice of the peace, or any commissioner for taking affidavits in the province. The oaths of office taken by enumerators are administered gratuitously. Oaths of office.

(4) In a very remote rural polling division where the postal service and transportation facilities are such that it is doubtful if one copy of the preliminary list or one copy of the statement of changes and additions can be transmitted by the enumerator to the returning officer and then by the returning officer to the appropriate deputy returning officer in time for polling day, the returning officer may, with the prior approval of the Chief Electoral Officer, issue instructions to the effect that one copy of the written or typewritten preliminary list or one copy of the statement of changes and additions, or both, as prepared and certified by the enumerator, be delivered or transmitted by the enumerator direct to the deputy returning officer concerned. In any such case, the enumerator will be instructed to send to the returning officer, by registered mail, in the envelope (Form 118), the index book, one copy of the preliminary list, four copies of the statement of changes and additions, and his account, as directed in paragraph 29 of the Instructions for Rural Enumerators (Book K). Special procedure in remote polling divisions. Sec. 17, Sch. B, Rule 22. Sec. 32 (3).

**246. List of Names of Rural Enumerators.**—When the enumerators have been officially appointed for the various rural polling divisions, a list of their names and addresses, and of the numbers of their respective polling divisions, prepared on the appropriate form (Form 142), will at once be sent to the Chief Examiner of Election Accounts. Moreover, a copy of such list will be posted up in the returning officer's office where it may be consulted during reasonable hours. List of rural enumerators. Sec. 17 (3).

Initial  
report from  
rural  
enumerators.

Sec. 17,  
Sch. B,  
Rule 11.

Sec. 17,  
Sch. B,  
Rule 9.

Sec. 17 (4).

Replacing  
rural  
enumerators.

Sec. 17,  
Sch. B,  
Rule 24.

Preparatory  
steps.

Sec. 17 (5).

Printing to  
be according  
to specimen.

**247. Receiving Rural Preliminary Lists.**—The returning officer will make sure that every rural enumerator proceeds with the preparation of the necessary number of copies of his preliminary list at the proper time, which must not be later than Thursday, the 32nd day before polling day. On the following day, each rural enumerator is required to transmit to the returning officer two copies of such preliminary list. The returning officer will ascertain that each copy has been duly certified by the enumerator and that a duly completed Notice of Rural Enumeration (Form 22) is attached to one of these two copies. The returning officer will carefully examine the preliminary list turned in by each rural enumerator in order to ascertain that it is complete and that it does not contain the name of any person who is not qualified as an elector in the polling division. As stated in paragraph 266 of these Instructions, the returning officer will not certify the account of any rural enumerator who has wilfully omitted names of qualified electors from his preliminary list or who has padded such list with the names of disqualified or fictitious persons. The returning officer will keep available for inspection in his office, in the binder (Form 129), the complete set of the written or type-written rural preliminary lists to which the Notices of Rural Enumeration (Form 22) are attached, and the other set will be used for the printing of the preliminary lists, as directed in paragraph 249 of these Instructions.

**248. Replacing Rural Enumerators.**—The returning officer may at any time replace any rural enumerator. He will do so if the enumerator is unable to do his work to the returning officer's satisfaction. The supplies furnished to, and the records of work done by, a replaced rural enumerator are required, on written notice, to be delivered to the returning officer or to any duly authorized person.

## 7. PRINTING AND DISTRIBUTION OF RURAL PRELIMINARY LISTS

**249. Printing of Rural Preliminary Lists.**—(1) Forthwith upon receipt of the preliminary lists from rural enumerators, the returning officer will cause such lists to be printed at an establishment situated in or near his electoral district. When arrangements are being made for such printing, the returning officer will direct the attention of the printer to the provisions of subsections (13) and (14) of section 17 of the Act, to every subparagraph of this paragraph, and to paragraphs 250 to 253 of these Instructions, so that the latter may, before the work is undertaken, familiarize himself with all particulars relating thereto. At this stage, the returning officer will also inform the printer that the printing of the preliminary lists for rural polling divisions must be completed not later than Saturday, the 16th day before polling day.

(2) The printing of rural preliminary lists must be done according to the specimen list (Form 144) included in Parcel A of List of Supplies No. One. The returning officer will furnish copies of such specimen list to every printer who undertakes the printing of rural preliminary lists. The preliminary list for a rural polling division, no matter how few or how many names it con-

tains, must be printed as a separate list, with the proper heading and certificate duly inserted thereon, as shown on the specimen list. No consideration will at this stage be given to the preliminary list for any rural polling division which contains more than 350 names of electors. Any necessary splitting up of such large list will be done later on by the returning officer, as prescribed in paragraph 273 of these Instructions. The names of the electors will appear on the printed preliminary lists in alphabetical order, as shown on the specimen list. The preliminary lists must be printed on paper of about the same quality as that used for the specimen list. The size of each sheet must be  $15\frac{1}{2}$  by 10 inches. The preliminary lists must be printed two columns to a page, and each column must not be more than  $3\frac{1}{2}$  inches in width. A blank border of about  $1\frac{1}{2}$  inches in width will be provided on both the right and left hand sides of each page. When it is possible to print the preliminary list for a given rural polling division, including the heading and the certificate, on a single page, the printing of such list will be completed in that manner. When it is necessary to print a preliminary list on two pages, the printing must be done on a double sheet and on the first and second pages only, as shown on the specimen list. When a preliminary list requires three or more pages, it must be printed on one side of single sheets and these sheets wired at the upper left hand corner. The type used in the printing of the rural preliminary lists must be approximately of the same size as the type used on the specimen list. The name and address of the printer must be printed at the foot of the preliminary list for each polling division, as shown on the specimen list.

(3) When the preliminary lists for all the rural polling divisions have been printed, they will be gathered into complete sets and properly banded, each banded set to contain a printed copy of the preliminary list for every rural polling division comprised in the electoral district. Banding lists into sets.

## 250. Arrangements for Printing Rural Preliminary Lists.

—Arrangements for the printing of rural preliminary lists should be made in advance of the enumeration. Arrangements will only be made with a printing establishment that has the facilities for doing the work efficiently and promptly. No arrangement will be made except direct with the master printer by whom the work is to be carried out. The rate of remuneration for the printing of the rural preliminary lists is fixed by Item 13(b) of the Tariff of Fees, which is printed at page 95. Such rate of remuneration will cover the printing of the heading and certificate as they appear on the specimen list, also the number of copies of the preliminary lists required to be printed, stock, make up, press work, and proof-reading. The returning officer should draw the attention of the printer to the note printed under Item 19 of the said Tariff. Arrangements for printing rural lists.  
Sec. 17 (5).

## 251. Preparation of Rural Preliminary Lists for Printing.

—(1) The rural preliminary lists will be printed from the written or typewritten preliminary lists as prepared by the enumerators. Upon receipt of these lists, the returning officer will forthwith prepare them for delivery to the printer with whom arrangements have been made. Printing to be from enumerators' lists.



Checking of  
headings, etc.

(2) The returning officer will carefully examine the heading of each preliminary list and make such corrections as may be necessary to ensure that, in the printed lists, all the headings will be as uniform as possible. The returning officer will make sure that the description of the boundaries of the polling division is correctly given in the space provided for that purpose in the heading of each preliminary list. If such description has been omitted by any enumerator, the returning officer will cause it to be inserted.

Checking  
details relating  
to electors.

(3) The returning officer will carefully go over each preliminary list in order to ascertain that the names of the electors are arranged in the required alphabetical order, that the name, address, and occupation of each elector are correctly given, and that a consecutive number is prefixed to the name of each elector. The returning officer will score out the certificate of the enumerator appearing at the end of each preliminary list and any writing or marks made by the enumerator that should not appear on the printed list. In the case of women, the returning officer will examine on the preliminary list the spaces provided for their occupations. If an enumerator has failed to fill in any of these spaces in compliance with paragraph 11 of the Instructions for Rural Enumerators (Book K), and as indicated on the specimen list supplied (Form 108), the returning officer will make the necessary corrections before the preliminary list is sent to the printer.

Appending  
certificate  
to list.

(4) At the foot of each rural preliminary list will appear a certificate printed over the name of the returning officer, as indicated on the specimen list. For the convenience of the returning officer in the preparation of the preliminary lists for printing, a draft of this certificate is printed on a special form (Form 146), which will be furnished to him in sufficient quantities in Parcel D of List of Supplies No. One; all the returning officer has to do is to detach the draft form of certificate from its heading, fill in the spaces, insert his name in the proper space, and append such draft form at the foot of the last sheet of the preliminary list for each rural polling division.

Number of  
printed  
rural lists  
required.

**252. Number of Printed Rural Preliminary Lists.**—To provide for the distribution of printed copies of the rural preliminary lists to candidates, to the Chief Electoral Officer, and for the returning officer's use, etc., 125 copies will be required, unless there is a possibility that more than four candidates will be officially nominated at the by-election, in which case an additional twenty copies will be ordered for each candidate over four. As stated in paragraph 249 of these Instructions, the above-mentioned printed copies of the preliminary lists will be gathered into complete sets and properly banded before delivery to the returning officer. There is no objection to the printer running off additional copies of any preliminary list and disposing of them on his own account.

Distribution  
of printed  
lists to  
candidates.

**253. Distribution of Printed Rural Preliminary Lists.**—(1) After the preliminary lists have been printed, the returning officer will transmit or deliver twenty copies thereof for every rural polling division comprised in his electoral district to every candidate officially nominated at the by-election.

(2) In his office, in the binder (Form 130), the returning officer will keep one complete set of the printed rural preliminary lists available for inspection at reasonable times. The returning officer will immediately send to the Chief Electoral Officer, by registered mail, in one of the special mail bags, thirty complete sets of the printed rural preliminary lists. After the by-election, any surplus printed copies of such preliminary lists will be sent to the Chief Electoral Officer, as indicated in the Fourth Lot of paragraph 321 of these Instructions.

Disposal of remainder of printed lists.

Sec. 17 (4).

Sec. 17 (8).

(3) In preparing his account for the printing of the rural preliminary lists, the printer will be guided by the directions set out in paragraph 250 of these Instructions. Accounts for the printing of rural preliminary lists must be certified by the returning officer and, when transmitted to the Chief Examiner of Election Accounts, such accounts will be accompanied by a sample of the work done. Each account for the printing of rural preliminary lists must also be accompanied by the printer's affidavit in Form 10 and the returning officer's affidavit in Form 11. These two affidavits may be subscribed only before a justice of the peace, a notary public, or a commissioner for taking affidavits in the province. Copies of these forms of affidavits will be included in Parcel G of List of Supplies No. One.

Printing account.

Sec. 17 (14).

## 8. REVISION OF URBAN PRELIMINARY LISTS

**254. Establishment of Revisal Districts.**—Forthwith upon the issue of the writ ordering the by-election, the returning officer will group the urban polling divisions comprised in his electoral district into the necessary number of revisal districts, and will prepare a list of the numbers of the polling divisions allotted to each. Copies of such list shall, immediately on completion, be transmitted to the candidates or to the representative of any recognized political organization in the electoral district. The number of polling divisions that will be allotted to each revisal district will depend on circumstances, but if the work of the enumerators is carefully carried out, each revising officer should be able to deal with as many as twenty-five polling divisions. However, a separate revisal district will be established for each small place composed of urban polling divisions, except where two or three small urban places are contiguous and a single revising officer may conveniently act for more than one place. Therefore, each small city, town, or other place declared urban, should generally be laid out as a separate revisal district. In large cities, the general rule to follow is that each revisal district will comprise a maximum of twenty-five urban polling divisions. Therefore, when there are ninety urban polling divisions, four revisal districts will be established and twenty-two or twenty-three polling divisions allotted to each. Care must, of course, be exercised to make sure that each urban polling division is wholly contained in a given revisal district. The foregoing instruction applies to each separate urban "polling division", no matter how many names will appear on the preliminary list, and does not apply to the "polling stations" which may be necessarily established in any large polling division.

Revisal districts.

Sec. 17, Sch. A, Rule 20.

Revisal  
offices.

Sec. 17,  
Sch. A,  
Rule 21.

**255. Establishment of Revisal Offices.**—In each revisal district established as directed in the next preceding paragraph, the returning officer will secure suitable premises to be used as a revisal office for the sittings of the revising officer. Each revisal office should be so located as to be conveniently accessible to the electors of the revisal district and established on the ground floor of the building, preferably in one of the front rooms. The rental allowance for a revisal office, set out in Item 24 of the Tariff of Fees which is printed at page 96, covers the necessary fuel, light, and furniture.

*Ex officio*  
Revising  
Officer.

Sec. 17,  
Sch. A,  
Rule 17.

**256. *Ex Officio* Revising Officer.**—The *ex officio* Revising Officer is the judge as defined in subsection (15) of section 2 of the Act. As soon as the revisal districts and revisal offices have been established, the returning officer will notify the *ex officio* Revising Officer of the issue of the writ ordering the by-election and will transmit or deliver to him a copy of these By-Election Instructions (Book A 35) and a copy of the Instructions for Revising Officers (Book L), together with the necessary number of copies of the form of appointment and oath (Forms 12, 13) of a substitute revising officer, of which a sufficient supply will be transmitted to the returning officer in Parcel D of List of Supplies No. One. The *ex officio* Revising Officer is required to send to the returning officer a copy of the completed appointment and oath of every substitute revising officer. The returning officer will preserve such completed appointments and oaths and, after the by-election, will transmit them to the Chief Electoral Officer, as indicated in the First Lot of paragraph 321 of these Instructions. The Statute directs that the accounts (Form 117) of substitute revising officers are to be certified by the *ex officio* Revising Officer. Therefore, upon the receipt of any such account, the *ex officio* Revising Officer will certify to its correctness and the account will then be sent to the Chief Electoral Officer.

Sec. 17,  
Sch. A,  
Rule 18.

Securing  
names, etc.,  
of substitutes.

Sec. 17,  
Sch. A,  
Rule 22.

**257. Arrangements for Revision.**—(1) The returning officer will ask the *ex officio* Revising Officer for what revisal district, if any, he will himself revise the preliminary lists and for what revisal districts, if any, he will appoint substitute revising officers. It will be necessary for the returning officer to obtain from the *ex officio* Revising Officer the names and addresses of such substitute revising officers and the revisal district for which each is to act.

Printing of  
Notice of  
Revision.

Sec. 17,  
Sch. A,  
Rule 23.

(2) After the foregoing information has been obtained, and with the concurrence of the *ex officio* Revising Officer or of the substitute revising officers, the returning officer will cause to be printed the Notice of Revision in the prescribed form (Form 14). A single notice will be sufficient in any electoral district, no matter how many revisal districts or how many separate urban places are comprised therein. It will ordinarily be advisable to have a proof of the said notice approved by the *ex officio* Revising Officer before it is printed.

Notice to be  
according to  
specimen.

**258. Notice of Revision according to Specimen Form.**—(1) A specimen form of Notice of Revision (Form 14) will be included in Parcel D of List of Supplies No. One. In this speci-



men form the necessary particulars will be inserted and the specimen form so completed will be handed to the printer as soon as possible after the arrangements for revision have been made, but not later than twenty-one days before polling day. The returning officer will instruct the printer to print the Notice of Revision on paper of about the same quality as the specimen form. The type used in printing the notice must as near as possible be of the same size as the type used on the specimen form.

(2) The allowances for the printing of the Notice of Revision are set out in Item 15 of the Tariff of Fees, which is printed at page 95. In the province of Quebec, whenever this Notice is printed in English and in French, the allowances set out in the said Item 15 will be granted for each version.

(3) If any of the days fixed for revision is a holiday as defined in the *Interpretation Act*, the returning officer will communicate with the *ex officio* Revising Officer with the view of determining whether or not the sittings of the revising officers should be postponed accordingly. At federal elections held in the past, no such postponement has ever been decided upon, and the sittings of the revising officers held on statutory holidays appear to have been found satisfactory by all concerned.

**259. Distribution of Notice of Revision.**—Enough copies of the Notice of Revision will be ordered to furnish twenty copies to each revising officer, in addition to the number required for the posting up and the distribution hereinafter mentioned. As soon as the Notice of Revision has been printed, but not later than Saturday, the 16th day before polling day, the returning officer will cause two copies of the Notice of Revision to be posted up in each urban polling division of his electoral district. The Statute prescribes that notices to be posted up in connection with a federal election may, notwithstanding the provisions of any law of Canada or of a province or of any municipal ordinance or by-law, be posted up by means of tacks to any post or wooden fence. Any expense incurred by the returning officer in the posting up of the Notice of Revision is covered by the allowance for clerical assistance provided in Item 4 of the Tariff of Fees. Two copies of such Notice will at once be sent to the *ex officio* Revising Officer, two copies to each substitute revising officer, one copy to the Chief Electoral Officer, five copies to each candidate officially nominated at the by-election, and, at the discretion of the returning officer, to every person reasonably expected to be so officially nominated, or to his representative.

**260. Supplies, etc., for Revising Officers.**—(1) The supplies required by each substitute revising officer will be sent to him as soon as it is known for what revisal district he will act. If the *ex officio* Revising Officer does not propose to revise any preliminary lists, no further supplies need be sent to him, but otherwise he and his substitutes will receive the same supplies. The forms, etc., for each revising officer are those mentioned in List of Supplies No. Four printed at page 107. With these supplies, the returning officer will send each substitute revising

officer three copies of the printed preliminary lists for all the polling divisions comprised in his revisal district and twenty copies of the Notice of Revision (Form 14). Whenever more than one revisal district is established in the electoral district, the returning officer will furnish each revising officer with one complete set of the printed preliminary list for every other revisal district comprised in the electoral district. In List of Supplies No. Four above referred to, will be included an extra number of copies of Affidavit of Objection and Notice to Person Objected To (Forms 15, 16) and Sworn Application by Agent on behalf of Elector (Forms 17, 18), which the returning officer will himself distribute, upon request, to candidates and other interested persons.

Correction  
of errors  
in printed  
lists.

(2) In paragraph 7 of his Instructions (Book L), each revising officer is requested to examine the printed preliminary list for each urban polling division comprised in his revisal district and to report to the returning officer any errors discovered during such examination. The returning officer is required to take the necessary steps for the correction of these errors before the revising officer during his sittings for revision on Thursday, Friday, and Saturday, the 11th, 10th, and 9th days before polling day.

Revision  
operations  
discontinued.

**261. Discontinuance of Revision.**—Whenever a candidate is elected by acclamation, the operations relating to the revision of the preliminary lists, for the urban polling divisions comprised in the electoral district, will forthwith be discontinued, and the returning officer will accordingly notify the *ex officio* Revising Officer and the substitute revising officers.

Reports from  
revising  
officers.

Sec. 17,  
Sch. A,  
Rule 41.

Sec. 17 (9).

**262. Reports from Revising Officers.**—Upon receipt from each revising officer of the two copies of the statement of changes and additions for each urban polling division, prepared on the appropriate forms (Form 19 or 112), the returning officer will keep one copy in his office, in the binder (Form 131), for inspection at reasonable hours, and the other copy available for transmission in the ballot box to the appropriate deputy returning officer. The returning officer will also receive from each revising officer the duplicate Notices to Persons Objected To (Forms 15, 16), with attached affidavits, and the post office registration receipts proving their dispatch, and the Sworn Applications by Agents on behalf of Electors (Forms 17, 18), together with the revising officer's record sheets (Form 83) duly completed. The returning officer will obtain an account from the landlord of each revisal office, duly prepared on the appropriate form (Form 132), certify to it, and forward it to the Chief Examiner of Election Accounts. The returning officer will see that each such account is signed by the landlord.

## 9. REVISION OF RURAL PRELIMINARY LISTS

Revision of  
rural lists.

Sec. 17,  
Sch. B,  
Rules 13-22.

**263. Revision of Rural Preliminary Lists.**—The preliminary list for each rural polling division is revised in the index book by the rural enumerator who prepared such list. Each rural enumerator is required to attend at a place specified in the Notice of Rural Enumeration (Form 22), between 10 o'clock in

the morning and 10 o'clock in the evening of Thursday, the 18th day before polling day, to revise in the index book the preliminary list for his polling division. It is not necessary to re-appoint or re-swear such enumerator for the performance of these duties

**264. Overseeing Revision of Rural Lists.**—Special care will be exercised by the returning officer in directing his rural enumerators in the revision of their preliminary lists in the index books. He will promptly answer all the inquiries of his rural enumerators for special instructions on the procedure to be followed at such revision. This duty can best be performed from the returning officer's office or residence.

Overseeing  
rural  
revision.

**265. Final Reports from Rural Enumerators.**—The returning officer will receive from each rural enumerator the index book used for the preparation and revision of his list of electors. He will also at the same time receive five certified copies of the statement of changes and additions (Form 26) and will keep one of such copies available for transmission in the ballot box to the appropriate deputy returning officer. The returning officer will send a copy of the statement of changes and additions to every candidate officially nominated at the by-election, or to his representative, and he will keep in his office, in the binder (Form 131), a complete set of such statements available for inspection. The returning officer will also receive the account for the services and expenses of the rural enumerator.

Reports  
from rural  
enumerators.  
Sec. 17,  
Sch. B,  
Rule 20.

Sec. 17 (9).

**266. Rural Enumerators' Accounts.**—(1) The returning officer will verify all accounts (Form 120) submitted to him by rural enumerators. Before certifying any such account, he will carefully examine the preliminary list turned in by the rural enumerator, and if such list appears to be incomplete or to contain the names of persons who are not qualified as electors in the polling division, he will not certify the enumerator's account, but will transmit it uncertified to the Chief Examiner of Election Accounts, with a special report attached thereto setting out the relevant facts.

Examination  
of accounts.

Sec. 17,  
Sch. B,  
Rule 9.

(2) Special care should be exercised by the returning officer in dealing with enumerators' accounts. The returning officer is responsible for the correctness of all accounts certified by him and he may, therefore, be held answerable for the account of any enumerator who has wilfully omitted names of qualified electors from his preliminary list or has padded such list with the names of disqualified or fictitious persons. The returning officer will not certify any rural enumerator's account until he has received his oath of office (Form 6).

Liability  
of returning  
officer.

Sec. 60 (4).

(3) After examining the rural enumerators' accounts, the returning officer will certify those of enumerators who appear to have performed their duties properly and these accounts, with a covering list (Form 106), will be forwarded to the Chief Examiner of Election Accounts. In certifying enumerators' accounts, the returning officer will affix his signature with pen and ink and not with a rubber stamp. Such accounts as rural enumerators have delayed sending in, or which have had to be returned to them for any reason, can be dealt with separately

Transmission  
of accounts  
to Chief  
Examiner of  
Election  
Accounts.



as they are received in good order. In each covering list (Form 106), either original or subsequent, the several accounts mentioned should, however, appear in the order of the polling division numbers, the attached accounts being also arranged in that order. In the preparation of any covering list, care will always be taken to see that the name and number of the polling division are correctly set out in each case.

Accounts,  
how paid.

Sec. 60 (3) (b).

(4) The rural enumerators' accounts will be paid by separate cheque sent from Ottawa to each enumerator entitled to payment. Therefore, it is most important that the correct Christian names, surname, and post office address of the enumerator, as well as the number and name, if any, of the polling division, be given in the heading of each account. An extra supply of rural enumerators' accounts (Form 120) will be sent to the returning officer in Parcel G of List of Supplies No. One. These forms will be used to replace mislaid or improperly prepared accounts.

Printed  
lists must  
accompany  
accounts.

(5) With the first consignment of rural enumerators' accounts, the returning officer will transmit to the Chief Examiner of Election Accounts a complete set of the printed preliminary lists for the rural polling divisions of his electoral district. The taxation of the rural enumerators' accounts will not be undertaken until a set of such printed lists has been received.

#### 10. ANTICIPATORY PREPARATION FOR POLL

Setting up  
in type of  
Notice.

Sec. 25.

**267. Notice of Grant of a Poll.**—(1) The Notice of Grant of a Poll (Form 30) should be set up in type as soon as possible after the commencement of the by-election. This Notice will not, of course, be finally printed until after the close of the nominations of candidates on nomination day, but, since it has to be printed and distributed within two days after nomination day, it is necessary that all details be handed to the printer as soon as they are available, and the printer should be instructed to set up these details in type as soon as he receives them. Proofs of the matter so set up in advance will be furnished to the returning officer from time to time. When the above-mentioned arrangements are being made, the returning officer will direct the attention of the printer to each subparagraph of this paragraph and to paragraphs 268 and 285 of these Instructions, so that the latter may, before undertaking the work, familiarize himself with the allowances provided in the Tariff of Fees and with other particulars. The attention of the printer should also be drawn to the note printed under Item 19 of the said Tariff.

Notice to  
be printed  
according to  
specimen.

(2) The Notice of Grant of a Poll will be printed on three or more pages, as required, of exactly the same size as the specimen form (Form 30) and on paper of about the same quality. The descriptions of the boundaries of the polling divisions and the locations of the polling stations must also be set out in exactly the same style as they appear on the specimen form. The type used in the printing of the Notice must be the same as the type used on the specimen form, but if this type is not available in the printing establishment, the returning officer will instruct the printer to use approximately the same kind of type; in any event, the type must not be larger than the type used on the specimen form.

(3) The Notice of Grant of a Poll must contain a description of the boundaries of every polling division comprised in the electoral district. After the description of the boundaries of each polling division, the returning officer will insert a description of the exact location of the polling station established therein, as shown on the specimen form. When more than one polling station is established for a given urban or rural polling division, the locations and numbering of such polling stations will be inserted after the description exactly as shown by the various examples given on the specimen form.

Description of polling divisions and polling stations.

Sec. 25 (2) (c).

(4) In the case of urban polling divisions where the sittings of the revising officers are completed only after nomination day, it is not possible, when the Notice of Grant of a Poll is printed, to ascertain exactly in which polling divisions the number of names on the official lists of electors will exceed 350. It is possible that some lists which contained less than 350 names after the enumeration will have more than that number after the revision and that some lists which contained slightly more than 350 names after the enumeration will have less than that number after the revision. In any event, the Notice of Grant of a Poll will be printed according to the preliminary lists, and the polling station arrangement, as set out in the Notice, will be allowed to stand for the taking of the votes, with the exception of a polling division where additions made during the revision have increased over 350 the number of names on the list, in which case an additional polling station will be established therefor. The returning officer will notify all the candidates officially nominated at the by-election of the additional polling station thus established.

Urban polling stations to be according to preliminary lists.

## 268. Allowances for Printing Notice of Grant of a Poll.—

(1) The allowances for the printing of the Notice of Grant of a Poll are set out in Item 17 of the Tariff of Fees, which is printed at page 95. In the provinces of Quebec and Manitoba, where this Notice is to be printed in English and French, the allowances set out in the said Item 17 will be granted for each version. In order to be entitled to such allowances, the printer must set up the Notice in the same style as the specimen form, using approximately the same size of type and the same amount of spacing. If the specimen form is not followed and the printed matter is unduly spread out, or the type used is larger than on the specimen form, the allowances set out in the said Item 17 will not apply and the account will be subject to a special taxation.

Tariff rates for printing Notice.

(2) The number of copies of the Notice of Grant of a Poll to be ordered will vary according to the number of candidates in the field and to the number of post offices and of ordinary polling stations comprised in the electoral district. The returning officer will order a sufficient number of copies of the Notice to provide

Number of copies of Notice required.

- (a) one copy for each post office or sub-post office situated in the electoral district;
- (b) one copy for each ordinary polling station;
- (c) ten copies for the Chief Electoral Officer; and

- (d) ten copies for each candidate officially nominated at the by-election.

In addition, the returning officer should order an extra supply of at least twenty-five copies to meet any unforeseen and reasonable demands. All unused copies of the Notice will be transmitted to the Chief Electoral Officer, after the by-election, with the unused supplies mentioned in the Fourth Lot of paragraph 321 of these Instructions. Further directions relating to the distribution and posting up of the Notice of Grant of a Poll are set out in paragraph 285 of these Instructions.

Allowance  
in case of  
acclamation.

(3) Whenever there is an acclamation and it is therefore unnecessary to complete the printing of the Notice of Grant of a Poll, the allowances set out in Item 17 of the Tariff of Fees will not apply on any type set up in advance in compliance with paragraph 267 of these Instructions, and, in such case, the printer will submit to the returning officer an account for the amount that is considered a fair remuneration for the work done. The account will be accompanied by the printer's proof of the matter so set up in type and, after the account has been certified by the returning officer, will be transmitted to the Chief Examiner of Election Accounts. This account will be subject to a special taxation.

Obtaining  
ballot boxes.

Sec. 27.

**269. Ballot Boxes.**—Early in the by-election the returning officer should obtain the necessary number of ballot boxes. He will find them in the possession of a custodian whose name will be notified to him by the Chief Electoral Officer. If the number of ballot boxes in the possession of the custodian is not sufficient, a report should be made immediately to the Chief Electoral Officer and an additional number will be sent from Ottawa. Upon receipt of the ballot boxes from the custodian, the returning officer will have them cleaned. Moreover, all tags, seals, or labels attached or stuck to the ballot boxes will be removed. Furthermore, if the ballot boxes require repairs, the returning officer may have these made but not more than \$30 should be expended for the purpose of cleaning and repairing the ballot boxes without an authorization from the Chief Electoral Officer. Every ballot box must be fitted with a sealing plate provided for the affixing of the special metal seal. If any such plates are missing or damaged, the Chief Electoral Officer should be immediately notified. Such of the supplies for each polling station as are ready will be put into the ballot boxes as soon as possible, and to each the proper tag (Form 84 or 86) will be attached. Everything possible should be done to have the ballot boxes ready for speedy distribution after nomination day, as soon as the Notice of Grant of a Poll and the ballot papers have been printed.

Selection of  
polling  
stations.

Sec. 31.

**270. Selection of Polling Stations.**—In urban polling divisions, as directed in paragraph 230 of these Instructions, the polling stations must be selected before or during the enumeration. In rural polling divisions, arrangements for the securing of premises to be used as polling stations will be completed before nomination day. The returning officer is required to establish every rural polling station in the most central place in the polling division. Every polling station should be located in such a way



as to provide the necessary convenience to the electors concerned. Polling stations must, in every case, be located on the ground floor of the building, and preferably in one of the front rooms. The allowance for the rental of polling stations is as provided in Item 32 of the Tariff of Fees, which is printed at page 97. Every landlord should be informed from the beginning that the rental allowance covers fuel, light, and furniture of the polling station, together with any necessary screens. All arrangements for polling stations must, of course, be conditional upon the poll being required, but by nomination day the returning officer should know where all his polling stations are to be located, since the exact description of the location of each of them has to be printed in the Notice of Grant of a Poll.

**271. Location of Polling Stations.**—The polling station for each polling division should be located within the polling division, but whenever the returning officer is unable to secure suitable premises to be used as a polling station within a polling division, he may, with the prior permission of the Chief Electoral Officer, establish such polling station in an adjacent polling division. Moreover, if deemed advisable, the returning officer may, with the prior permission of the Chief Electoral Officer, establish a central polling place where the polling stations of all or any of the polling divisions of any locality may be centralized, but no central polling place so established shall comprise more than ten polling divisions unless it is the usual practice in a locality to establish a central polling place for civic, municipal or provincial elections and it is desirable in the opinion of the Chief Electoral Officer to follow that practice. The Statute requires a polling station to be established for every 350 electors or fraction thereof, so that for any polling division on the official list of electors for which there are more than 350 names, two or more polling stations will be established, the official list being split up as directed in paragraph 273 of these Instructions. When more than one polling station for a polling division is necessary, the two or more polling stations required will, if possible, be established in the same building, but if this is impossible the polling stations should be established in adjoining buildings.

**272. Arrangements for Polling Stations.**—There must be in each polling station at least one voting compartment, and preferably two, in which electors may be screened from observation when marking their ballot papers. Such voting compartment may ordinarily be made by hanging a curtain across a corner of the room. A table or desk with a hard and smooth surface to which a lead pencil may be fastened will be required in the voting compartment and, for the use of the deputy returning officer, poll clerk, and agents of candidates, another table and at least six chairs will be necessary. The arrangements for advance polling stations will be the same as those for ordinary polling stations, but only one advance polling station will be provided for any place at which an advance poll is authorized, even if the electoral district consists of the whole or a large part of it.

**273. Splitting up Large Official Lists.**—(1) When the number of names on the official list of electors for a given polling division exceeds 350, it will be the duty of the returning officer to divide such list for the taking of the votes in such a way that

Location  
of polling  
stations.

Sec. 31 (1).

Sec. 31 (7).

Sec. 31 (6).

Sec. 33 (2).

Arrangements  
for polling  
stations.

Sec. 31.

Dividing  
lists for  
large  
polling  
divisions.

Sec. 33

not more than 350, and, when practicable, not less than 175, names of electors will be allotted to any polling station established for such polling division. It will not be necessary to make copies of any portion of an official list thus split up. The preliminary list will be cut wherever desired and the appropriate portion thereof will be supplied to the proper deputy returning officer, after having been duly certified by the returning officer, as directed hereunder, and after the number of the appropriate polling division or polling station has been inserted at the top of each portion of the list thus divided.

Procedure  
in rural  
polling  
divisions.

Sec. 33 (3).

(2) If the polling division is rural, the returning officer will split up the printed (or written or typewritten) preliminary list into as many separate lists as are required for the taking of the votes at the polling stations established therein. The preliminary list will be cut between two initial letters of the surnames of the electors as they appear on the said list, that is to say, between K and L, or between R and S, or as the case may be. The polling stations so established will be designated by the number of the polling division to which will be added the letters A to K or L to R or S to Z, thus: "Polling Station No. 37 A-K", "Polling Station No. 37 L-R", "Polling Station No. 37 S-Z", or in whichever way the preliminary list is divided. In such cases, it will be necessary for the returning officer to prepare special statements of changes and additions on the appropriate form (Form 149), which will have to be completed from the statement of changes and additions prepared and certified by the rural enumerator in Form 26. Each entry appearing on such enumerator's statement of changes and additions, whether it is an addition, correction, or deletion, will have to be allocated in alphabetical order, according to the initial letter of the surname of the elector, to its proper special statement of changes and additions prepared by the returning officer. Each such special statement is to contain the entries relating to one polling station only, and must be prepared in such a way that each entry made in the rural enumerator's statement will be allocated to the special statement of the polling station to which it belongs. The returning officer will certify every such special statement, attach it to the applicable portion of the preliminary list, and keep it in readiness for transmission in the ballot box to the deputy returning officer concerned. The appropriate portion of the preliminary list, with the special statement of changes and additions, as certified by the returning officer, will together constitute the official list of electors to be used for the taking of the votes at such deputy returning officer's polling station. In the event of there being no changes made in the preliminary list as posted up by the rural enumerator, the returning officer will nevertheless prepare special statements of changes and additions, using the same form (Form 149), but he will simply insert the word "Nil" in the three spaces provided for the various classes of entries, and complete the certificate. Whenever no entries are made in one of the spaces provided, the returning officer will insert the word "Nil" in that space. In other words, when it is necessary to make only entries of names added in the special statements of changes and additions, the word "Nil" will be inserted in the other two spaces provided on the form for corrections and for deletions, or vice versa.

Sec. 33 (7).

(3) If the polling division is urban, the returning officer will split up the preliminary geographical list into as many separate lists as are required for the taking of the votes at the polling stations established therein. The preliminary list will be divided numerically according to the consecutive number given to each elector on such list so that approximately an equal number of electors will be allotted to each polling station necessarily established in such urban polling division. The polling stations so established will be designated by the number of the polling division to which will be added letters of the alphabet, thus: "Polling Station No. 37A", "Polling Station No. 37B", "Polling Station No. 37C", and so on. In such cases, it will be necessary for the returning officer to prepare special geographical statements of changes and additions on Form 19, of which a supply will be enclosed in Parcel G of List of Supplies No. One. In the preparation of such special statements of changes and additions, the returning officer will be guided by the directions set out in the last part of subparagraph (2) of this paragraph. The returning officer will certify such special statements by affixing his signature in the space provided on the form for the signature of the revising officer.

Dividing geographical lists for urban polling divisions.

Sec. 33 (4).

(4) In the case of an urban polling division for which an alphabetical list was prepared instead of a geographical one, the returning officer will split up such list and number the polling stations in the same manner as in the case of a rural polling division, as directed in subparagraph (2) of this paragraph. In such cases, it will be necessary for the returning officer to prepare special alphabetical statements of changes and additions on Form 112, of which a supply will be enclosed in Parcel G of List of Supplies No. One. In the preparation of such special statements of changes and additions, the returning officer will be guided by the directions set out in the said subparagraph (2). The returning officer will certify such special statements by affixing his signature in the space provided on the form for the signature of the revising officer.

Dividing alphabetical lists for urban polling divisions.

Sec. 33 (5).

(5) Whenever the official list for an urban or rural polling division is split up as above directed, a certificate in Form 162 will be appended to each portion of the list so split up, after such certificate has been duly filled in and signed by the returning officer. The proper way to append the certificate is to paste the bottom of the last sheet of each portion of the list on the border which has been provided for that purpose over the heading of the certificate. A sufficient number of forms of certificate (Form 162) will be furnished to the returning officer in Parcel G of List of Supplies No. One.

Certification of divided lists.

Sec. 33 (6).

(6) In splitting up large lists as hereinbefore directed, the returning officer will make sure that the name of every elector on the complete official list of electors for the polling division will appear on some one, and on one only, of the parts of the official list as allotted to the various polling stations established in such polling division. The returning officer will deliver to the appropriate deputy returning officer, in the ballot box, the portion of the official list containing the names of the electors entitled to vote at such deputy returning officer's polling station.

Steps to be taken.

Sec. 33 (2).

Sec. 33 (10).



Time for  
selection,  
etc.

Sec. 26 (1).

Sec. 33 (2, 10).

Sec. 10 (2).

Sec. 62 (3).

Qualifications,  
residence, etc.

Sec. 100 (2).

Supplying  
of advance  
copy of  
Instructions.

Official  
appointments.

Sec. 26 (1).

**274. Appointment of Deputy Returning Officers.**—(1) As soon as the by-election has been ordered, the returning officer will proceed to make all necessary inquiries in order that his list of prospective deputy returning officers may be completed as early as possible. Deputy returning officers are selected and appointed by the returning officer himself. In a large polling division where it is necessary to split up the official list of electors for the taking of the votes and to establish two or more polling stations, the returning officer will appoint a deputy returning officer for each polling station so established. Neither the returning officer nor the election clerk is eligible for appointment as deputy returning officer. No deputy returning officer, nor his partner or clerk, may act as the official agent of any candidate.

(2) Special care will be exercised by the returning officer to select only persons who are competent to discharge the duties of deputy returning officer. It is advisable that each person appointed as deputy returning officer be a resident in the polling division for which he is to act. If it is not possible to secure the services of a competent person residing in the polling division for appointment as deputy returning officer, the returning officer may select a person residing in another polling division to act in that capacity. In any event, each deputy returning officer must be entitled to vote at the by-election. The consent of the persons who are to act as deputy returning officers should always be obtained, but there is no objection to the proposed appointments being treated as confidential until the official appointments are made. In the selection of deputy returning officers, the returning officer will bear in mind that they are not entitled to travelling allowances. It is necessary, therefore, that the deputy returning officer reside in the vicinity of the polling station for which he will be appointed.

(3) After each deputy returning officer is selected and agrees to act, he should be furnished with an advance copy of the Instructions for Deputy Returning Officers (Book M: ordinary poll, or Book O: advance poll). Shortly after the issue of the writ ordering the by-election, a sufficient number of these books to make this advance distribution will be sent to the returning officer in Parcel F of List of Supplies No. One. Special envelopes (Form 123) are supplied in the said Parcel F for the purpose of transmitting such books to deputy returning officers. In any event, the above-mentioned Instructions for Deputy Returning Officers will always be enclosed in the large envelope sent to each deputy returning officer, in the ballot box, with the ballot papers and other necessary supplies.

(4) The official appointments of deputy returning officers cannot be made until after the issue of the writ ordering the by-election, but such appointments should not be delayed until after the beginning of the second week before polling day. All such appointments will be tentative and, in the event of an acclamation, the deputy returning officers will not be entitled to any remuneration. Included in Parcel D of List of Supplies No. One will be found the forms (Form 31 or 92) for the appointments and oaths of office of deputy returning officers. When the appointment of any deputy returning officer has been decided

upon, the returning officer will fill in and sign the form of appointment and send it to such deputy returning officer.

(5) In polling divisions comprised in the locality in which the office of the returning officer is situated, the oaths of office of office of D.R.O.'s. (Form 32 or 92) of the deputy returning officers should be sworn before the returning officer or the election clerk. In other polling divisions, each deputy returning officer is directed in his Instructions (Book M or Book O) to swear his oath of office, detach it from the form of appointment, and send it to the returning officer. In such polling divisions, deputy returning officers may swear their oaths of office before any postmaster, any magistrate, any notary public, any justice of the peace, or any commissioner for taking affidavits in the province. The oaths of office taken by deputy returning officers are administered gratuitously. The official appointment must remain in the possession of the deputy returning officer.

(6) The deputy returning officer will select and appoint his own poll clerk as soon as he receives his ballot box. The forms of appointment and oath of office of the poll clerk are printed on the first page of the poll book (ordinary poll) or Book C (advance poll). Each poll clerk must be entitled to vote at the by-election. The Statute prescribes that the selections and appointments of poll clerks are to be made exclusively by the deputy returning officers.

**275. Sheets of Ballot Paper.**—About the third week before polling day, the Chief Electoral Officer will transmit to the returning officer a supply of sheets of ballot paper. This ballot paper will be sent in special mail bags, each containing exactly 1,000 sheets. A letter of instructions will be sent concurrently with the initial consignment of sheets of ballot paper. The heavy black lines required by the Statute have been printed on each sheet of ballot paper supplied. Provision has also been made for the necessary lines of perforations and for the counter-foil and stub required by the Statute. Each sheet of ballot paper bears a serial number in order that an exact record may be kept of every sheet supplied. The number of sheets of ballot paper required varies according to the number of names on the official list of electors and the number of candidates in the field. The number of sheets of ballot paper originally sent in Parcel I of List of Supplies No. One should be sufficient when as many as four candidates are officially nominated. If more than four candidates are likely to be officially nominated, the returning officer will notify the Chief Electoral Officer at the earliest possible date.

**276. Preparations for Printing Ballot Papers.**—(1) If a contest is probable, arrangements should be made in advance of nomination day for the printing of the ballot papers. Instructions as to their form and size are given on the sample sheet of ballot paper (Form 35) and in the specimen book of ballot papers (Form 119) furnished in Parcel H of List of Supplies No. One. The sample sheet of ballot paper and the specimen book of ballot papers, together with eight stereotype blocks mentioned in paragraph 277 of these Instructions, should be

transmitted to the printer a few days before they are needed. The sheets of ballot paper that he will require may also be transmitted at the same time. The quantity of these sheets will be carefully recorded in order that they may be checked against the number of printed ballot papers. When the above-mentioned arrangements are being made, the returning officer will direct the attention of the printer to every subparagraph of this paragraph and to paragraphs 277, 286, 287, and 288 of these Instructions, so that the latter may, before undertaking the work, familiarize himself with all particulars relating to the printing of ballot papers.

Early setting  
up of matter  
in type.

Sec. 28.

Sec. 28 (3).

Setting up  
of names,  
etc., of  
candidates.

(2) Although no actual printing can safely be done until after the close of nominations, what is going to happen will often be known sufficiently to permit the printer to make advance preparations for the printing of the ballot papers. Sometimes when all the prospective candidates have been officially nominated before nomination day, the matter relating to them may be set up in type in advance, so that the presses can commence to run a few minutes after three o'clock in the afternoon of nomination day, when the time expires for the correction of Christian names, etc., of candidates.

(3) The names of candidates, as well as their addresses and occupations, will appear on the ballot papers (subject to section 28 (3) of the Act), in exactly the same form as in the heading of the nomination papers. The only prefixes to the Christian names of candidates that can be printed on the ballot papers are those of "Right Honourable" for Members of the Imperial Privy Council, and "Honourable" for Members of the Canadian Privy Council. Moreover, no designating letters of any kind are to be inserted on the ballot papers after the surnames of candidates. Before the names and particulars of the candidates are set up in type, the returning officer will instruct the printer to make sure that a space of at least one inch in width is provided on the right hand side of the ballot papers. This space is required by the electors to mark their ballot papers. The type to be used in setting up the names and particulars of the candidates on the ballot papers must be exactly the same as that used on the sample sheet of ballot paper (Form 35) and in the specimen book of ballot papers (Form 119). However, when the Christian names and surname of any candidate are unusually long, and such candidate will not agree to any of his Christian names being abbreviated as provided by section 28(3) of the Act, it will be necessary to use smaller type in setting up the Christian names and surname of such candidate in order to provide the necessary space required by the electors to mark their ballot papers. In such cases, the same size of type will be used for the Christian names and surnames of all candidates. As shown on the sample sheet of ballot paper (Form 35) and in the specimen book of ballot papers (Form 119), the Christian names and surname of every candidate must be printed on a single line.

Tariff rates  
for printing  
ballot papers.

(4) The allowance for the printing of ballot papers is set out in Item 16 of the Tariff of Fees, which is printed at page 95. Such allowance is granted for the printing of both sides of the ballot papers and for the numbering and binding or stitching,



as shown in the specimen book of ballot papers (Form 119). The returning officer should draw the attention of the printer to the note printed under Item 19 of the said Tariff.

**277. Stereotype Blocks.**—Concurrently with the sheets of ballot paper, the Chief Electoral Officer will furnish to the returning officer a number of stereotype blocks, an impression of which must appear on the back of each ballot paper, as shown on the sample sheet of ballot paper (Form 35) and in the specimen book of ballot papers (Form 119). The number of stereotype blocks required will vary according to the number of candidates in the field and also according to the equipment of the printing establishment. The experience of the last general election has shown that no less than eight of these blocks are required by most printers, and this number will accordingly be sent in Parcel J of List of Supplies No. One. If the printer finds it more convenient to use more of these stereotype blocks, the returning officer will inform the Chief Electoral Officer of the additional number required and these will be sent as soon as possible. Requests for additional stereotype blocks must reach the Chief Electoral Officer as early as possible before nomination day. Therefore, upon the receipt of the initial consignment of stereotype blocks, the returning officer will inform the printer concerned of the number received. The returning officer and the printer will take every precautionary measure in order to prevent any one of these blocks getting into the hands of unauthorized persons. After the by-election, every stereotype block must be transmitted to the Chief Electoral Officer, as indicated in the Fourth Lot of paragraph 321 of these Instructions.

Stereotype or  
printer's  
blocks.

Sec. 13 (2).

## 11. NOMINATION OF CANDIDATES

**278. Appointment of Official Agents.**—The Statute prescribes that every candidate must appoint an official agent whose name, address, and occupation will be notified to the returning officer in the space provided for that purpose on the nomination paper (Forms 27, 28). After the close of the nominations the returning officer will publish the names, addresses, and occupations of such official agents in the Notice of Grant of a Poll (Form 30). If, at any time after the appointment of an official agent has been so notified, the person named dies or becomes incapacitated, the candidate must appoint a new official agent and notify in writing the returning officer, who will notify the other candidates in the field, if the Notice of Grant of a Poll has already been printed. It is not obligatory for the official agent of a candidate to be entitled to vote at the by-election. No returning officer, deputy returning officer, or election clerk, or the partner or clerk of either of them, is eligible to act as the official agent of any candidate.

Appointment  
of official  
agents.

Sec. 62 (1).

Sec. 62 (2).

Sec. 62 (3).

**279. Nominations of Candidates.**—Among the forms enclosed in Parcel B of List of Supplies No. One, will be found some forms of nomination paper (Forms 27, 28), which should, as indicated in paragraph 207 (3a) of these Instructions, be distributed as early as possible to prospective candidates upon their request. Candidates need not wait until nomination day to be officially nominated. They may be officially nominated

Nominations.

Sec. 21.

Sec. 21 (5).

- at any time upon delivery to the returning officer of the completed nomination paper and the regular deposit, which the returning officer is bound to accept whenever and wherever they are tendered to him after the publication of the Proclamation. The official nomination paper of a candidate will be prepared by completing only one form, which is printed on a double sheet; the returning officer will not accept any unofficial nomination paper tendered by, or on behalf of, a candidate. The only prefixes to the Christian names of candidates which may be inserted in the nomination papers are those of "Right Honourable" for Members of the Imperial Privy Council, and "Honourable" for Members of the Canadian Privy Council. With these two exceptions, the returning officer will not accept a nomination paper bearing prefixes of any kind. Furthermore, the returning officer will not accept a nomination paper bearing any designating letters after the surname of the candidate. Unless specially authorized by the Chief Electoral Officer, the occupation given by a candidate in the heading of his nomination paper must be briefly stated and must correspond to the occupation under which such candidate is known in the place of his ordinary residence. Only one candidate may be officially nominated on a given nomination paper and, upon receiving any such nomination paper and the necessary deposit, the returning officer will
- Sec. 21 (7). (a) carefully examine the nomination paper and ascertain that the candidate's surname, Christian names, address, and occupation are correctly given in such nomination paper, and that it has been signed by at least ten electors qualified to vote at the by-election;
  - Sec. 21 (8). (b) require the oath of attestation to be filled in with the name, address, and occupation of the witness to the signatures of the nominators, have this signed, administer the oath to the witness, and himself sign the certificate that it has been sworn, swearing each attesting witness separately, if there is more than one. The only person before whom this oath can be sworn is the returning officer, and it is therefore his duty to assist in having the oath properly filled in before it is sworn;
  - Sec. 21 (9). (c) require the completion of the other necessary forms printed on the back of the nomination paper (acceptance of nomination, appointment of official agent, oath of attestation of acceptance, etc.), administer the necessary oath, and sign the certificate that it has been sworn;
  - Sec. 21 (10) (a). (d) if the deposit is in the form of a cheque, satisfy himself that it is for \$200, that it is payable to the Receiver General of Canada, and that it has been accepted by a chartered bank, or if the deposit is in cash, see that the proper amount in legal tender or in the bills of a chartered bank is handed to him; and finally
  - Sec. 21 (8). (e) issue his receipt in the special form (Form 135) furnished in Parcel A of List of Supplies No. One.
  - Sec. 21 (10) (b).
  - Sec. 21 (11).

Receipt for  
and disposal  
of deposits.

Sec. 21 (11).

**280. Receipt for and Disposal of Deposits.**—The issue of the receipt (Form 135) has the effect of curing any possible irregularities in a nomination paper and a deposit, and constitutes the final acceptance of the candidate as such. A returning officer who issues his receipt when either the deposit or the

nomination paper is irregular incurs a heavy liability. He must consequently exercise the utmost care to perform properly the very important duty of satisfying himself of the regularity of the nominations he accepts. In view of what is stated in the next preceding paragraph and especially in view of the provisions of section 84 of the Act, it should seldom be advisable to reject a nomination paper. When the returning officer is in doubt as to whether he should reject a nomination paper, he will communicate with the Chief Electoral Officer before making his decision. As soon as possible after the issue of the receipt, a remittance will be made to the Comptroller of the Treasury, in the special envelope (Form 113). The cheque itself will be sent if the deposit has been made by cheque, otherwise the cash will be deposited in a bank and the returning officer will have the bank accept his own cheque in favour of the Receiver General of Canada, which cheque he will send to the Comptroller of the Treasury, with a memorandum giving the Christian names, surname, and post office address of the candidate by whom or on whose behalf the deposit was made. Sec. 21 (12).

**281. Attendance at Nominations.**—On nomination day, the returning officer and the election clerk must, no matter how many official nominations have already been received, attend at twelve noon (standard time) at the place fixed by the Proclamation, and remain there until two o'clock in the afternoon. The returning officer will during this time receive any further official nominations which may be tendered to him, have the oaths sworn, issue the proper receipts, and, as soon as possible thereafter, transmit the deposits to the Comptroller of the Treasury, as directed in the next preceding paragraph. After two o'clock in the afternoon (standard time) on nomination day, no further nominations shall be receivable or be received. Attendance on nomination day.  
Sec. 21 (13).

## 12. PROCEDURE IN CASE OF ACCLAMATION

**282. Return After Acclamation.**—Even if only one candidate is officially nominated, the returning officer will transmit the deposit to the Comptroller of the Treasury in the manner described in paragraph 280 of these Instructions. He will also at once make on the back of the writ ordering the by-election the proper endorsement of the return to the writ and deliver a copy of this return, in Form 141, to the candidate elected by acclamation. The writ and the other papers will be forwarded to the Chief Electoral Officer by registered mail in two lots (of which the first will be dispatched immediately and the other as soon as possible) in the following manner: Return by acclamation.  
Sec. 24.

*First Lot (In envelope Form 70)—*

- (a) The writ with the return of the candidate elected by acclamation properly endorsed (Sec. 24 (1) of the Act).
- (b) The nomination paper of the candidate elected by acclamation (and of the other candidates, if any) (Forms 27, 28).
- (c) The returning officer's report of proceedings (Form 91).
- (d) The receipt for the deposit of the ballot boxes (Form 139), if these have been obtained from the custodian.



- (e) The returning officer's record book (Form 89).
- (f) The Proclamation (Form 4, one additional copy).
- (g) The Notice of Revision, if any (Form 14, one additional copy).
- (h) The appointments and oaths of substitute revising officers (Forms 12, 13), if any.

*Second Lot (In special mail bags with tag, Form 80, attached to each)—*

- (a) The unused sheets of ballot paper.
- (b) The unused forms and supplies.
- (c) The rubber stamps supplied.
- (d) The binders containing the written or typewritten preliminary lists.
- (e) The binder containing the printed preliminary lists.
- (f) The binder containing the statements of changes and additions completed by rural enumerators, if any.
- (g) The large cardboard envelopes containing the urban enumerators' used and unused record books, etc., if any.
- (h) The index books used by rural enumerators, if any.
- (i) The other papers received from the enumerators.
- (j) The undistributed printed preliminary lists.
- (k) The stereotype blocks.
- (l) The cardboard boxes containing the urban enumerators' badges, if any.
- (m) The oaths of office of enumerators (Form 6).
- (n) The unused special metal seals.

Getting in  
accounts.

**283. Accounts.**—All accounts relating to the conduct of the by-election should be obtained, certified, and sent to the Chief Examiner of Election Accounts. The candidate elected by acclamation (and the other candidates, if any) should be supplied with the forms relating to the return of election expenses (Forms 61-64), if he has not already received them. The completed returns of election expenses of candidates will be dealt with according to the directions set out in paragraph 323 of these Instructions.

### 13. ORGANIZATION OF POLL

List of  
candidates.

Sec. 21 (16).

**284. List of Candidates: Their Deposits, etc.**—If more than one candidate is officially nominated, the first duty of the returning officer is to prepare, at 3 p.m. (standard time) on nomination day, a complete list of the candidates officially nominated, giving their names, addresses, and occupations exactly as these will appear on the ballot papers. A certified copy of this list will be furnished to each candidate officially nominated at the by-election who applies therefor, and one copy will be sent immediately to the Chief Electoral Officer and to the Comptroller of the Treasury. Any deposits not yet dispatched will, at the same time, be transmitted to the Comptroller of the Treasury, as directed in paragraph 280 of these Instructions.

Sec. 21 (12).

**285. Printing of Notice of Grant of a Poll.**—The Notice of Grant of a Poll (Form 30) should, as suggested in paragraph 267 of these Instructions, have been set up in type soon after the commencement of the by-election, and the descriptions of the locations of the polling stations should have been inserted in the said Notice as arrangements for them were made. After the nominations of candidates are completed, it will therefore only be necessary to insert, in the last page of the Notice, the names, etc., of the candidates and of their official agents. In the printing of the said Notice, the names, etc., of the candidates will be inserted alphabetically in the order of their surnames. If polling stations have not been selected for all the polling divisions, the necessary arrangements will be completed immediately. If, after the Notice of Grant of a Poll is printed, it becomes impossible to hold the poll in a polling station described on such Notice, another selection will be made and the electors concerned will be notified accordingly by postcards; all the candidates officially nominated at the by-election should also be notified. A copy of the Notice of Grant of a Poll will be sent by mail within two days after the close of nominations, in the envelope (Form 114), to each postmaster in the electoral district, with a copy of a special notice (Form 85) dealing with his duty in respect to its posting up. A sufficient supply of the special notices (Form 85) and of the envelopes (Form 114) will be furnished in Parcel A of List of Supplies No. One. A copy of the Notice of Grant of a Poll will be put into the ballot box for each ordinary polling station and ten copies will be sent immediately to the Chief Electoral Officer. Ten copies will also be delivered or sent by registered mail to each candidate officially nominated at the by-election.

Notice of  
Grant of a  
Poll.

Sec. 25.

Sec. 25 (2, 3).

Sec. 25 (4).

**286. Printing of Ballot Papers.**—The arrangements suggested in paragraphs 275 to 277 of these Instructions for the printing of the ballot papers will be completed as soon as possible. The names of the candidates officially nominated will be arranged on the ballot papers alphabetically in the order of their surnames. For the printing, numbering, and binding or stitching of ballot papers, the returning officer will make sure that the printer follows as near as possible the sample sheet of ballot paper (Form 35) and the specimen book of ballot papers (Form 119).

Printing of  
ballot papers.

Sec. 28.

**287. Quantity of Ballot Papers.**—The quantity of ballot papers to be printed will, of course, depend upon the number of electors entitled to vote at the by-election, as determined from the official lists, but it will also depend in part upon whether the polling divisions are urban or rural. The lists of electors for urban polling divisions being “closed”, it is necessary to provide only a small margin of ballot papers over and above the number of names on such lists, since only the spoiling of ballot papers need be provided against. However, in rural polling divisions a larger margin must be allowed, since the lists of electors are not “closed” and the supply of ballot papers must be such as to permit voting by qualified electors whose names do not appear upon them. To each urban polling station it will therefore be sufficient to distribute 5 per cent more ballot papers than there are names on the official list, but to each rural polling station

Number of  
ballot papers  
required.

20 per cent more ballot papers should be distributed. In most cases, it will not be possible to adhere strictly to this instruction, since the books of ballot papers should not be broken in making the distribution. Having this in mind, the returning officer will include a minimum of 5 per cent more ballot papers than there are names on the urban official lists, and a minimum of 20 per cent more ballot papers than there are names on the rural official lists. A reserve supply of 5 per cent more ballot papers should also be printed and kept available to meet any unforeseen and necessary demands. Before the ballot papers are printed, the provisions of paragraph 276 of these Instructions will be carefully considered by the returning officer and the printer.

Numbering  
and binding  
ballot  
papers.

Sec. 28 (5).

**288. Numbering, Binding, etc., of Ballot Papers.**—The printer will be instructed by the returning officer to print the same consecutive serial number on the back of the stub and of the counterfoil of each ballot paper, beginning with 1001 upwards to the serial number of the last ballot paper printed, and to bind or stitch them in books. For the purpose of recording the serial numbers of the ballot papers sent to each deputy returning officer, it will ordinarily be found more convenient to have the ballot papers bound or stitched in books of twenty-five. If desired, however, about 25 per cent may be bound or stitched in books of one hundred, about 25 per cent in books of fifty, and the remaining 50 per cent in books of twenty-five. Upon the completion of the printing of the ballot papers, the printer is required to subscribe to an affidavit (Form 36) respecting the printing of ballot papers and deliver such affidavit to the returning officer. This should be done at the same time that the stereotype blocks and the last of the ballot papers are delivered. Copies of this form of affidavit will be sent in Parcel H of List of Supplies No. One. The returning officer will see that every unused sheet of ballot paper and any valuable cuttings are sent back to him. Furthermore, every piece of the sheets of ballot paper spoiled in the printing should be sent back to the returning officer for transmission to the Chief Electoral Officer. In case of complaint or doubt, the Chief Electoral Officer may cause the ballot paper to be checked and require an accounting from the printer. Whenever there are six, eight, nine, ten, twelve, or more candidates in the field at the by-election, the portions of the sheets out of which ballot papers were cut will have to be sent back to the returning officer for transmission to the Chief Electoral Officer. Such cut off portions will be arranged by the printer in numerical order according to the serial number printed at the foot of each sheet. In the other cases, the short and worthless cut off portions will be disposed of by the printer.

Arrangements  
for printing  
Notice.

Sec. 94 (8).

**289. Notice of Holding of Advance Poll.**—(1) The Statute prescribes that a copy of the Notice of Holding of Advance Poll must be sent by the returning officer to the postmaster of each post office situated in the electoral district not later than twelve days before the ordinary polling day. A single notice will be sufficient in the electoral district, no matter how many separate places comprised therein are entitled to advance polls. When arrangements are made for the printing of this Notice, the



returning officer will direct the attention of the printer to every subparagraph of this paragraph, so that the latter may, before undertaking the work, familiarize himself with all particulars relating thereto.

(2) A specimen form of Notice of Holding of Advance Poll (Form 65) will be included in Parcel D of List of Supplies No. One. In this specimen form the necessary particulars will be inserted, and the specimen form, so completed, will be handed to the printer on nomination day, if a poll is required. The returning officer will instruct the printer to print the Notice of Holding of Advance Poll on paper of about the same quality as the specimen form. The type used in the printing of the Notice must as near as possible be of the same size as the type on the specimen form. If a poll is not required, it will not be necessary to print the Notice of Holding of Advance Poll.

Notice to be  
according to  
specimen.

(3) The allowances for the printing of the Notice of Holding of Advance Poll are set out in Item 18 of the Tariff of Fees, which is printed at page 95. In the province of Quebec, whenever this Notice is printed in English and in French, the allowances set out in the said Item 18 will be granted for each version.

Tariff rates  
for printing  
Notice.

(4) The number of copies of the Notice of Holding of Advance Poll to be ordered will vary according to the number of candidates in the field and to the number of post offices and of advance polling stations in the electoral district. The returning officer will order a sufficient number of copies of the Notice to provide

Number of  
copies of  
Notice  
required.

- (a) one copy for each post office or sub-post office situated in the electoral district;
- (b) ten copies for each advance polling station;
- (c) two copies for the Chief Electoral Officer; and
- (d) five copies for each candidate officially nominated at the by-election.

In addition, the returning officer should order an extra supply of at least twenty-five copies to meet any unforeseen and reasonable demands. All unused copies of the Notice will be transmitted to the Chief Electoral Officer, after the by-election, with the unused supplies mentioned in the Fourth Lot of paragraph 321 of these Instructions.

(5) At the latest on the 12th day before the ordinary polling day, the returning officer will send by ordinary mail a copy of the Notice of Holding of Advance Poll to the postmaster of each post office situated in the electoral district. With each copy of the Notice of Holding of Advance Poll, there must be enclosed, in the envelope (Form 114), a special notice (Form 85) informing the postmaster of his duties in that connection. A sufficient supply of the special notices (Form 85) and envelopes (Form 114) will be sent to the returning officer in Parcel A of List of Supplies No. One. At the same time as these envelopes are sent to the postmasters, two copies of the Notice of Holding of Advance Poll will be forwarded to the Chief Electoral Officer and five copies to each candidate officially nominated at the by-election. Ten copies of such Notice will be put into the ballot box for each advance polling station.

Notice, how  
distributed.

Sec. 94 (8).

Final  
arrangements  
for poll.

Sec. 48 (10).

Sending out  
supplies.

Sec. 32 (2).

Sec. 39 (2).

**290. Completing Arrangements for Polling.**—As soon as the printing of the ballot papers has been put in hand, the arrangements for the holding of the poll should be completed. Deputy returning officers should be appointed for the polling stations for which appointments have not already been made. Whenever two or more polling stations have been established for any polling division, the returning officer will instruct the deputies appointed for such polling stations to decide between themselves which of them will appoint a constable, if such appointment is considered necessary. The appointment of constables at ordinary polling stations is more fully dealt with in paragraph 36 of the Instructions for Deputy Returning Officers (Book M).

**291. Supplies for Polling Stations.**—As soon as the ballot papers and the Notice of Grant of a Poll can be put into the ballot boxes, the dispatch of the boxes to deputy returning officers will commence. The letter of instructions (Form 81 or 82) will be put into the ballot box, after such letter of instructions has been completed and placed in a window envelope (Form 97). The returning officer will make sure at this stage that the copy of the official list of electors which is to be used at each ordinary polling station and the necessary supplies have been deposited in the ballot box. A record of the dispatch or delivery of each ballot box will be kept in the returning officer's record book (Form 89). For urban polling stations only, the returning officer will also make sure that a pad of affidavits of qualification (Form 42) is deposited in the ballot box, as indicated in paragraph 207(5) of these Instructions. In the locality where the office of the returning officer is situated, each deputy returning officer should be instructed to come to the returning officer's office to get his ballot box. In outlying polling divisions, it should be possible to transmit the ballot boxes by mail, in which case the returning officer will pay the postage thereon at parcel post rates, and they will be registered, special arrangements for their being so having been made with the Post Office Department, and instructions issued accordingly to the postmasters concerned. In a large rural electoral district, the ballot boxes for the more distant polling stations may probably have to be sent by messengers, in which event the returning officer will see that each messenger sent out takes with him all the ballot boxes for a given part of the electoral district, in order to prevent two or more messengers from covering the same territory. Before the ballot box is either delivered or transmitted to the deputy returning officer, it must be locked and sealed with one of the special metal seals supplied for the use of the returning officer in Parcel G of List of Supplies No. One.

Return of  
ballot boxes  
after poll.

Sec. 50.

**292. Instructions for Return of Ballot Boxes.**—The manner in which the ballot boxes are to be sent back to the returning officer, as explained in the letter of instructions (Form 81 or 82), is as follows. In the locality where the office of the returning officer is situated, each deputy returning officer will bring his ballot box to the returning officer's office as soon as possible after the close of the poll on polling day. In outlying areas, each deputy returning officer will send his ballot box to the

returning officer by registered mail, under section 50 (11) of the Act, which provides for its being carried post free. The collection of ballot boxes by messenger, after polling day, should be resorted to only in exceptional cases and with the prior approval of the Chief Electoral Officer. Whenever a messenger is employed to collect ballot boxes, he should be appointed in writing on the form of appointment (Form 87) and must take, when he has delivered the ballot boxes to the returning officer, the prescribed oath (Form 59). This oath is printed on the back of the above-mentioned form of appointment. Sec. 50 (9).

**293. Replacing Deputy Returning Officers.**—The returning officer may, at any time, replace any deputy returning officer. He should do so whenever it is deemed necessary or advisable. Any election supplies and documents in the possession of a replaced deputy returning officer must be delivered to the returning officer or to his representative upon the receipt of a written notice from the returning officer of the appointment of a substitute. The duties of a deputy returning officer who at the last moment refuses or is unable to act will be performed by his poll clerk unless a substitute deputy returning officer is appointed, but a substitute must be appointed at once if the first deputy returning officer has not officially appointed a poll clerk. Replacing deputy returning officers. Sec. 26 (3).

**294. List of Names of Deputy Returning Officers.**—On the third day before polling day, a list of the names and addresses of deputy returning officers, showing their respective polling stations, will be prepared from the returning officer's record book (Form 89) on the special form (Form 122). One copy of such list will be immediately sent to each candidate in the field and one copy to the Chief Examiner of Election Accounts. On the same day, the returning officer will post up in his office a copy of such list, and will permit free access to, and afford full opportunity for the inspection of, such list by interested persons at any reasonable time. List of D.R.O.'s by polling stations. Sec. 26 (2).

**295. Withdrawal of Candidate.**—A candidate may withdraw at any time after having been officially nominated but not later than 48 hours before the opening of the poll on polling day, by filing with the returning officer a declaration in writing to that effect signed by himself and attested by the signatures of two electors entitled to vote at the by-election. The votes cast for a candidate so withdrawing will be null and void, and his deposit forfeited. If a candidate withdraws before the ballot papers are printed, either before or after nomination day, the name and particulars of such candidate will not be printed on the ballot papers. Whenever a candidate withdraws after the ballot papers are printed, it is the duty of the returning officer to notify immediately, by letter or telegram, all the deputy returning officers in his electoral district of such withdrawal, instructing them at the same time to proceed as directed in paragraph 35 of the Instructions for Deputy Returning Officers at Ordinary Polls (Book M) or in paragraph 26 of the Instructions for the Deputy Returning Officer at an Advance Poll (Book O), as the case may be. When time permits, a notice Withdrawal of candidate. Sec. 22.



of the withdrawal will be printed in large type by the returning officer and a copy of such notice will be delivered or sent to each deputy returning officer with instructions to post it up in a conspicuous place in his polling station during the hours of voting. This notice may be worded as follows:

“Electoral District of .....

#### NOTICE TO ELECTORS RE WITHDRAWAL OF CANDIDATE

You are hereby notified of the withdrawal of .....

.....of.....as candidate at the pending by-election. The name and particulars of such person are printed on the ballot papers, but any votes cast in his favour will be null and void.

Dated at....., this....day of....., 19...

.....  
Returning Officer”

At the bottom of such notice must be printed the notice *re* interference with election documents, which the returning officer will find on the specimen Proclamation (Form 4). The name of the printer and of the returning officer must also appear thereon.

#### 14. TRANSFER CERTIFICATES, ADVANCE POLL CERTIFICATES, ETC.

Persons  
entitled  
to transfer  
certificates.

Sec. 43.

**296. Transfer Certificates.**—After the close of nominations, the returning officer or the election clerk may be called upon to issue transfer certificates (Form 44) permitting the holders of such certificates to vote at polling stations other than those established in the polling divisions on the official lists of electors for which their names respectively appear. At any reasonable time, a candidate officially nominated whose name is on the official list of electors for a polling station established in the electoral district is entitled, at his request, to obtain a transfer certificate entitling him to vote in any other polling station. Anyone who has been appointed deputy returning officer or poll clerk at a polling station other than that on the official list of electors for which his name appears, may, at any reasonable time, obtain a transfer certificate entitling him to vote at the polling station at which he is to be stationed. Any candidate's agent who is to act at a polling station other than that at which he could vote, may, at any reasonable time between the close of nominations and ten o'clock in the evening of the Saturday immediately preceding polling day, obtain, on a request made by himself or by a representative, a transfer certificate entitling him to vote at the polling station where his duties are to be performed. The returning officer or the election clerk will have all necessary information as to the right of a deputy returning officer or a poll clerk to obtain a transfer certificate, but the written appointment of a candidate's agent must be shown to the returning officer or to the election clerk before the transfer

certificate is issued. Not more than two agents for any one candidate are entitled to obtain transfer certificates authorizing them to vote in any given polling station. No transfer certificate issued to a deputy returning officer or to a poll clerk or to a candidate's agent will entitle such person to vote under such certificate unless he is actually engaged in the performance of the duty specified in the said certificate at the polling station therein mentioned. The returning officer may also issue a transfer certificate to his election clerk, when such election clerk ordinarily resides in a polling division other than that in which the office of the returning officer is situated.

**297. Issue of Transfer Certificates.**—Upon an application being made to him for a transfer certificate, the returning officer or the election clerk will satisfy himself that the applicant is a person entitled to obtain such a transfer certificate (Form 44), and that his name appears on the official list of electors for one of the polling divisions comprised in the electoral district. The returning officer or the election clerk by whom any transfer certificate is issued will

Procedure to be followed.

Sec. 43.

Sec. 43 (7).

- (a) completely fill in the transfer certificate (Form 44);
- (b) sign such certificate and mention thereon the date of its issue;
- (c) consecutively number every such certificate in the order of its issue;
- (d) keep a record of every such certificate in the order of its issue on the record of transfer certificates (Form 136);
- (e) not issue any such certificate in blank; and
- (f) whenever possible, transmit or deliver a duplicate of the transfer certificate to the deputy returning officer for the polling station on the list of electors for which appears the name of the person to whom such certificate has been issued.

For the convenience of the returning officer and the election clerk in the performance of the duty mentioned in (f), the transfer certificate (Form 44) has been printed in such a manner that an original and a duplicate can be made at the same time with the use of carbon paper. The procedure to be followed in the transmission or delivery of such duplicates to the deputy returning officers concerned is set out in paragraph 302 of these Instructions.

**298. Advance Poll Certificates.**—About the same time as he may be asked for transfer certificates, the returning officer or the election clerk (or a person specially deputized) may also be called upon to issue advance poll certificates (Form 66). These certificates may be issued only to persons who are employed upon railways, vessels, airships, or other means or modes of transportation (whether or not employed thereon by the owners or managers thereof), or as commercial travellers, as defined in section 2 (4) of the Act, or as fishermen, as defined in section 2 (12) of the Act, and to members of the reserve forces of the Canadian Forces and to members of the Royal Canadian Mounted Police Force; and to any of the above-mentioned persons only if his name appears on the list of electors

Persons entitled to advance poll certificates.

Sec. 96.

Sec. 95.

for any polling division comprised in the electoral district and if, by reason of the nature of his employment or duty and in the course of it, he is obliged to be absent from time to time from the place of his ordinary residence and has reason to believe that he will not be able to vote on polling day at the ordinary polling station established for the polling division on the list of electors for which his name appears because he will necessarily be absent on that day from the place of his ordinary residence in pursuit of his employment or duty. Every application for an advance poll certificate must be made in person by the elector concerned. The returning officer or the election clerk (or the specially deputized person) will, before issuing an advance poll certificate, make sure that the applicant belongs to one of the classes of persons mentioned above, that his name appears on the list of electors for one of the polling divisions comprised in the electoral district, that he is the person whose name appears on such list, and that such applicant, in the pursuit of his employment or duty, will be absent from the place of his residence on the ordinary polling day.

Specially  
deputized  
person.

Sec. 96.

**299. Duties of Specially Deputized Person.**—(1) Advance poll certificates which may be issued by the returning officer or the election clerk may also be issued by a person specially deputized by the returning officer. Whenever the office of the returning officer is located in a place where an advance poll is authorized, it will not be necessary to specially deputize a person to issue advance poll certificates, but when an advance poll is authorized in another place in the electoral district it will be necessary to deputize a person to issue such certificates at such place. The consent of the Chief Electoral Officer will be secured before the returning officer makes any such appointment. When communicating with the Chief Electoral Officer on the subject, the returning officer will give the name, address, and occupation of the proposed appointee and add a specific assurance that he is a fit and proper person to perform the proposed duties. As soon as an appointment is made, the name, address, and occupation of the specially deputized person will be communicated by the returning officer to the deputy returning officer of the applicable advance poll and to every candidate officially nominated at the by-election. A specially deputized person is entitled to the allowances provided in Item 38 of the Tariff of Fees, which is printed at page 98. In order to be entitled to such allowances, such person must attach to his account a list of the names, addresses, and occupations of the electors to whom he has issued advance poll certificates. Copies of the record of advance poll certificates (Form 137) may be used in the preparation of such list. In a place where it is expected that the number of electors who are likely to seek to vote at the advance poll will not exceed fifty, the person specially deputized may be appointed to act as poll clerk at the said advance poll. In that event, such person is entitled to the allowances provided in Items 31 and 38 of the Tariff of Fees. In issuing advance poll certificates, the specially deputized person will follow the provisions of sections 94 to 98 of the Act and the directions set out in paragraphs 298 and 300 of these Instructions as if he were the returning officer or the election clerk.



(2) A person specially deputized to issue advance poll certificates must be furnished by the returning officer with a copy of these By-Election Instructions (Book A35) and with a sufficient number of copies of advance poll certificate (Form 66) and of record of advance poll certificates (Form 137). The returning officer will also furnish the specially deputized person with a copy of the preliminary list of electors for every polling division comprised in the electoral district. Moreover, for the dispatching of duplicates of advance poll certificates to the deputy returning officers concerned, as directed in the next following paragraph, the specially deputized person should be furnished with a list of the names and addresses of the deputy returning officers appointed for the ordinary polling stations established in the place for which the person has been specially deputized to issue advance poll certificates, together with a list of the addresses of the polling stations at which such deputy returning officers will act.

Supplies, etc.,  
to be furnished  
to specially  
deputized  
person.

**300. Issue of Advance Poll Certificates.**—Upon an application being made for an advance poll certificate, the returning officer, the election clerk, or the specially deputized person, will satisfy himself that the applicant is a person entitled to obtain such certificate. Where the identity of the applicant is doubtful, it will be necessary to take such precautions against impersonation as the circumstances appear to require. The returning officer, the election clerk, or the specially deputized person, by whom an advance poll certificate is issued, will

Procedure to  
be followed.  
Sec. 96.

Sec. 96 (3).

- (a) completely fill in the advance poll certificate (Form 66);
- (b) sign such certificate and mention thereon the date of its issue;
- (c) see that such certificate has been duly signed by the applicant in the space provided for that purpose immediately below the certificate;
- (d) consecutively number every such certificate in the order of its issue;
- (e) keep a record of every such certificate in the order of its issue on the record of advance poll certificates (Form 137);
- (f) not issue any such certificate in blank; and
- (g) before the opening of the poll on the ordinary polling day, transmit or deliver a duplicate of the advance poll certificate to the deputy returning officer for the ordinary polling station at which the person to whom such certificate was issued would in the ordinary course be entitled to vote.

For the convenience of the returning officer, the election clerk, and the specially deputized person in the performance of the duty mentioned in (g), the advance poll certificate (Form 66) has been printed in such a manner that an original and a duplicate can be made at the same time with the use of carbon paper. The procedure to be followed in the transmission or delivery of such duplicates to the deputy returning officers concerned is set out in paragraph 302 of these Instructions. If the specially deputized person cannot transmit or deliver some of the

said duplicates to the deputy returning officers concerned on time for the opening of the poll on the ordinary polling day, he will inform the returning officer accordingly, who may authorize the appointment of a messenger, as provided in the said paragraph 302.

Certificate  
in case of  
omission of  
name from  
urban list.

Sec. 17 (11).

**301. Omission of Enumerated Name.**—(1) If, after the sittings of the revising officer, it is discovered that the name of an elector, to whom a notice in Form No. 7 has been duly issued by the enumerators, has, through inadvertence, been left off the official list for an urban polling division, the returning officer will, on an application made in person by the elector concerned, upon the production by such elector of the notice in Form No. 7 issued to him and signed by the two enumerators, and upon ascertaining from the undetached page (Sheet C) of the enumerators' record book in his possession that an omission has actually been made, issue to such elector a certificate in Form No. 20 entitling him to vote at the polling station for which his name should have appeared on the official list. Special care will be taken by the returning officer in issuing such certificates. No certificate will be issued unless the undetached page (Sheet C) relating to such elector is found in the enumerators' record books, and the returning officer is satisfied that the non-inclusion of the elector's name in the official list is due to a mistake. Moreover, no certificate will be issued in the case of a name struck off the printed preliminary lists of electors by the revising officer during his sittings for revision. When any such certificate is issued, the official list of electors will be deemed for all purposes to have been amended in accordance therewith, and the elector concerned may then vote at his proper polling station upon the delivery of his certificate to the deputy returning officer thereat. When issuing any such certificate, the returning officer will immediately transmit or deliver a duplicate thereof to the deputy returning officer concerned and to each of the candidates officially nominated at the by-election, or to his representative. The certificates in Form No. 20, sent to the returning officer in Parcel L of List of Supplies No. One, will be stapled in sixes, five of which will have the word **DUPLICATE** stamped thereon. The returning officer will make sure to issue the first copy to the applicant elector and to transmit or deliver the duplicates to the deputy returning officer concerned and to the candidates officially nominated at the by-election, or to their representatives. The procedure to be followed in the transmission or delivery of the said duplicates is set out in paragraph 302 of these Instructions.

Certificate  
in case of  
name omitted  
by revising  
officer.

Sec. 17 (12).

(2) If, after the sittings of the revising officer, it is discovered that the name of an elector who has personally applied to a revising officer, or on whose behalf a sworn application has been made by an agent pursuant to Rule (33) of Schedule A to section 17 of the Act, to have his name included in the official list of electors, and whose application has been duly accepted by the revising officer during his sittings for revision, was thereafter inadvertently left off such official list, the returning officer will, on application made in person by the elector concerned, and upon ascertaining from the completed revising officer's record sheets (Form 83) in his possession, that such an omission has actually

been made, issue to such elector a certificate in Form No. 21, entitling him to vote at the polling station for which his name should have appeared on the official list. The returning officer will, at the same time, send a duplicate of such certificate to the deputy returning officer concerned and to each of the candidates officially nominated at the by-election, or to his representative, and the official list of electors will be deemed for all purposes to have been amended in accordance with such certificate; the elector concerned may then vote at his proper polling station upon the delivery of his certificate to the deputy returning officer thereat. The certificates in Form No. 21, sent to the returning officer in Parcel L of List of Supplies No. One, will be stapled in sixes, five of which will have the word DUPLICATE stamped thereon. The returning officer will make sure to issue the first copy to the applicant elector and to transmit or deliver the duplicates to the deputy returning officer concerned and to the candidates officially nominated at the by-election, or to their representatives. The procedure to be followed in the transmission or delivery of the said duplicates is set out in the next following paragraph.

**302. Delivery of Duplicates of Transfer or Advance Poll Certificates, etc.**—The transmission of duplicates of transfer or advance poll certificates, etc., to the deputy returning officers concerned, as prescribed in paragraphs 297, 300, or 301 of these Instructions, will be made in the ballot boxes, or, if the ballot boxes have already been dispatched, by mail, if time permits. However, if, on the day preceding polling day and on polling day itself, there are still some duplicates to be delivered to the deputy returning officers concerned, the delivery will be made in the following manner:

Delivery of  
duplicates  
of transfer  
or advance  
poll  
certificates,  
etc.

- (a) In the case of urban polling divisions, the delivery of such duplicates will be made by a messenger appointed by the returning officer; such messenger being entitled to the allowance mentioned in Item 34 (b) of the Tariff of Fees, which is printed at page 97. In order to be entitled to such allowance, however, the messenger's account will have to be supported by a list of the names and addresses of the deputy returning officers to whom he has delivered such duplicates. Before sending such messenger's account to the Chief Examiner of Election Accounts, the returning officer must certify it.
- (b) In the case of rural polling divisions, the delivery of such duplicates will also be made by a messenger appointed by the returning officer, but such messenger will be entitled to the allowances mentioned in Items 34 (a) and 37 (a) or (b) of the Tariff of Fees.

## 15. CONDUCT OF POLL

**303. Overseeing Polling.**—During the days upon which the advance poll is open, if any such poll is authorized in the electoral district, and on the ordinary polling day, the returning officer and the election clerk will keep themselves available to oversee the proper conduct of the voting, and either the returning

Directing  
D.R.O.'s  
during  
polling.  
Sec. 10 (2).



officer or the election clerk will remain continuously on duty in the returning officer's office during all the hours that the polls are open.

Receiving  
ballot boxes  
after  
polling.

Sec. 51 (1).

**304. Receiving Ballot Boxes.**—After the close of the poll on the ordinary polling day, every ballot box should be received, checked, and registered in the returning officer's record book (Form 89) by the returning officer or the election clerk. The special metal seal affixed by the deputy returning officer will be left intact after it has been ascertained to be in good order, and that its serial number corresponds to the serial number mentioned on the preliminary statement of the poll (Form 75). In the case of each ballot box, the returning officer will register, in the appropriate columns of his record book (Form 89), the condition and the serial number of the special metal seal affixed by the deputy returning officer. If the special metal seal is not in good order, the returning officer will affix his own special metal seal to the ballot box, and will register the serial number of such seal in the appropriate column of his record book (Form 89). A sufficient number of such seals will be enclosed in Parcel G of List of Supplies No. One. When all this has been done, the ballot boxes will, until the official addition of the votes, be deposited in a safe place so that no person except the returning officer and the election clerk can have access to them.

Receiving  
accounts and  
preliminary  
statements of  
the poll.

Sec. 50 (10).

**305. Preliminary Statements of the Poll, etc.**—As the returning officer receives each ballot box, he will also receive from every deputy returning officer a separate envelope (Form 154) containing the polling station account (Form 101) and the preliminary statement of the poll (Form 75). This envelope will be opened immediately, but the ballot boxes will not, under any circumstances, be opened until the day and hour fixed for the official addition of the votes. The polling station accounts will be classified and made ready to be dealt with as directed in paragraphs 311 to 316 of these Instructions. The preliminary statements of the poll will be used to make an advance compilation of the votes cast for each candidate. It must be well understood, however, that this is merely a preliminary compilation, and that the final compilation can be made only at the official addition of the votes. The preliminary statements of the poll should also be used in making all possible advance entries on the recapitulation sheets (Form 138) to be used at the official addition of the votes. Moreover, the returning officer will insert on such recapitulation sheets, in the appropriate column, the number of names on the official list of electors for each polling station, which number he will ascertain from the copy of the preliminary list and the copy of the statement of changes and additions in his possession. The above-mentioned preliminary statements of the poll (Form 75) will be kept ready for transmission to the Chief Electoral Officer, as indicated in the Fourth Lot of paragraph 321 of these Instructions.

Adjournment  
and inquiry  
as to  
missing  
ballot boxes.

Sec. 52.

**306. Adjournment.**—The official addition of the votes will be adjourned if any deputy returning officer has not returned his ballot box, but no adjournment may be for more than one week, and all the adjournments must not together exceed two weeks. If there is reason to believe that any ballot box has been

destroyed or lost, the returning officer will hold an inquiry and may summon the deputy returning officer or any other person to produce any relevant papers from which he may ascertain the number of votes cast for each candidate at the polling station where the missing ballot box was used.

**307. Opening Ballot Boxes.**—On the day and at the hour fixed by the Proclamation for the official addition of the votes, the returning officer and the election clerk will attend with the ballot boxes at the appointed place. As suggested in paragraph 305 of these Instructions, the recapitulation sheets (Form 138) should have been prepared in advance from the preliminary statements of the poll, etc. Any candidate or his representative who is present may take note of the serial number embossed on the special metal seal affixed to any ballot box. The special metal seals will be broken by cutting them with scissors or a similar instrument and the ballot boxes opened in the presence of the candidates or their representatives, the presence of at least two electors being secured if none of the candidates or their representatives are present. Each ballot box should contain only two envelopes, a small one (Form 155) containing the official statement of the poll and a large one (Form 71 or 78) containing everything else. As the ballot boxes are opened, these two envelopes will be examined and if on either of them the name of the electoral district and the number of the polling station do not appear, the returning officer will insert the same before anything else is done. If the small envelope containing the official statement of the poll has not been separately placed in the ballot box, the fact will be noted, in the column provided for that purpose, on the recapitulation sheets, and this will also be done if the other papers have not been properly placed in the large envelope. In this latter case, the envelopes and papers which should have been placed in the large envelope (Form 71 or 78) will be enclosed in the special envelope (Form 90), and the certificate No. 1 printed thereon will be completed by the returning officer. The special envelope (Form 90) will be sealed with a gummed paper seal (Form 111) and the returning officer and the election clerk will affix their signatures to such seal; any candidate or his representative who is present may also affix his signature thereto. Except as directed in paragraph 308(2) of these Instructions, the large envelopes (Form 71 or 78) containing the poll books, ballot papers, etc., will not be opened at the official addition of the votes. The unused special metal seals found in the ballot boxes will be laid aside and kept ready for transmission to the Chief Electoral Officer, as indicated in the Fourth Lot of paragraph 321 of these Instructions.

Opening  
ballot boxes.  
Sec. 51.

**308. Official Addition of Votes.**—(1) The envelopes (Form 155) containing the official statements of the poll (Form 58) will be opened and the statements removed, the empty envelopes (Form 155) being retained until the completion of the official addition of the votes and then destroyed. From the official statements of the poll, the number of votes cast for each candidate in every polling station will be ascertained and entered on the recapitulation sheets (Form 138), upon which, at the same time, the number of the rejected (but not spoiled) ballot papers, will be recorded.

Procedure  
on summing  
up of votes.  
Sec. 51.

When official statement is not enclosed in proper envelope.

Sec. 51 (4).

(2) If the official statement of the poll for any polling station has not been enclosed in its proper envelope (Form 155) or has not been found loose in the ballot box, the returning officer may, for the purpose of ascertaining the result of the voting at such polling station, open all the envelopes taken out of such ballot box, except those containing the ballot papers cast for the various candidates, the rejected ballot papers, and the spoiled ballot papers, but, in the absence of any information in the poll book or amongst the other papers, the endorsements on the envelopes containing ballot papers cast for the various candidates may be accepted as sufficient evidence of the result of the voting. All the envelopes and papers, except the statement of the poll, if found, will then be put into the special envelope (Form 90) furnished in Parcel L of List of Supplies No. One which envelope will be sealed by the returning officer with a gummed paper seal (Form 111) after he has completed the certificate No. 2 printed on such envelope. The returning officer and the election clerk will affix their signatures to such gummed paper seal (Form 111); any candidate or his representative who is present may also affix his signature thereto.

Copies of statement used in certain cases.

Sec. 52 (3).

(3) If the result of the voting cannot be ascertained upon the examination of the contents of the large envelope, as hereinbefore directed, the number of votes cast for each candidate may be ascertained by referring to the copies of the statement of the poll given or sent by the deputy returning officer to the candidates or to their agents at the polls, if any of these are available, but such copies of the statement of the poll must be verified on oath.

Summoning of D.R.O. and other persons.

Sec. 52 (4).

(4) If no copy of the statement of the poll is available and the result of the voting cannot be ascertained as above directed, the official addition of the votes will be adjourned and the returning officer will summon the deputy returning officer, the poll clerk, or any other person, to attend before him, with any relevant papers he has in his possession, to be examined on oath on the subject.

Disposal of statements of the poll.

(5) When the official addition of the votes has been completed, the official statements of the poll (or copies thereof used at such addition) will be arranged in the order of their entry upon the recapitulation sheets and kept ready for transmission to the Chief Electoral Officer, as indicated in the Second Lot of paragraph 321 of these Instructions.

Envelopes placed in ballot boxes.

**309. Disposal of Large Envelopes.**—(1) As the ballot boxes are opened and their contents dealt with as indicated in paragraphs 307 and 308 of these Instructions, the large envelopes (Forms 71, 78, or 90), containing the various documents that make up the returns from every polling station, will be placed in several of the ballot boxes used for the taking of the votes. Ordinarily, a ballot box should hold from five to eight of such large envelopes. A special tag (Form 72) will be attached to each ballot box containing such large envelopes. On such tag will be inserted the name of the electoral district and the numbers of the polling stations from which the returns contained in such large envelopes were received.



(2) When the official addition of the votes has been completed, each ballot box containing large envelopes (Forms 71, 78, or 90) will be locked and sealed with one of the special metal seals supplied for the use of the returning officer in Parcel G of List of Supplies No. One. The returning officer will then insert the serial number of the special metal seal affixed to every ballot box containing such large envelopes, in the space provided for that purpose on the Certificate of result of voting (Form 150) mentioned in the next following paragraph. Any candidate or his representative, who is present at the official addition of the votes, may take note of the serial numbers embossed on the special metal seals thus affixed to the ballot boxes.

Locking and  
sealing  
ballot  
boxes.

(3) Until the time has come to send the election documents to the Chief Electoral Officer, as prescribed in paragraph 321 of these Instructions, every ballot box containing large envelopes (Forms 71, 78, or 90) will be kept in a safe place, so that no person except the returning officer and the election clerk can have access to them.

Safe-keeping  
of ballot  
boxes.

(4) If a recount is ordered, as indicated in paragraph 317 of these Instructions, the ballot boxes sealed at the official addition of the votes and containing large envelopes (Forms 71, 78, or 90) will be taken intact to the place of recount where such ballot boxes and large envelopes will be opened only upon the directions of the judge presiding at such recount. After the recount, such large envelopes will be dealt with as directed in paragraph 318 of these Instructions.

Ballot boxes  
produced  
intact at  
recount.

(5) If no recount is held, the large envelopes (Forms 71, 78, or 90) will, on the 7th day after the official addition of the votes, be taken out of the ballot boxes and placed in the special mail bags which were used to convey election supplies to the returning officer. After each special mail bag has been securely closed, a tag (Form 80) will be attached thereto. When this has been done, these special mail bags will be dispatched to the Chief Electoral Officer, as indicated in the Third Lot of paragraph 321 of these Instructions.

Bagging  
large  
envelopes.

**310. Certification of Result of Voting.**—When the official addition of the votes has been completed, the returning officer will certify in writing the name of the candidate who has obtained the largest number of votes at the by-election. The returning officer will, at the same time, certify in writing the total number of votes obtained by each candidate in the field and the total number of rejected ballot papers, as ascertained at such official addition of the votes. For that purpose the returning officer will use the Certificate of result of voting (Form 150), copies of which will be found in Parcel L of List of Supplies No. One. If the leading candidates have obtained an equal number of votes, the returning officer will give his casting vote in order to establish which candidate has obtained the largest number of votes. As directed in paragraph 309 (2) of these Instructions, the returning officer will insert on every copy of the certificate above referred to, the serial numbers of the special metal seals affixed to the ballot boxes containing

Certifying  
name of  
candidate  
who has  
obtained  
largest  
number of  
votes, etc.

Sec. 51 (5).

the large envelopes (Forms 71, 78, or 90) that contain the returns from the various polling stations. Copies of the above-mentioned certificate will be forthwith delivered or sent by registered mail to all the candidates in the field at the by-election and one copy will be forthwith dispatched to the Chief Electoral Officer.

#### 16. PAYMENT BY WARRANTS OF DEPUTY RETURNING OFFICERS, POLL CLERKS, AND LANDLORDS OF ORDINARY POLLING STATIONS

Officers  
entitled to  
be paid by  
warrants.

Sec. 60 (3).

**311. Election Officers paid by Warrants.**—The only classes of election officers entitled to be paid by warrants issued by the returning officer are deputy returning officers, poll clerks, and landlords of ordinary polling stations. This method of payment does not apply to an advance polling station. The deputy returning officer, the poll clerk, and the landlord of an advance polling station will be paid by separate cheques sent from Ottawa. Every constable or interpreter who has been necessarily employed at an ordinary or at an advance polling station will also be paid by separate cheque sent from Ottawa.

Requisition  
for warrants.

**312. Requisition for Warrants.**—As soon as the Notice of Grant of a Poll has been printed and distributed, the returning officer will send to the Chief Examiner of Election Accounts a requisition (Form 94) for the necessary number of Election Fees Warrants required to pay the deputy returning officers, the poll clerks, and the landlords of ordinary polling stations. The returning officer will state in his requisition the exact number of each class of warrant required. The returning officer will requisition one warrant for each and every ordinary polling station established by him. For instance, if two polling stations are established in the same building for a given polling division, he will requisition two warrants, no matter if the same person is entitled to payment in both cases. A copy of the Notice of Grant of a Poll must be attached to the requisition for warrants. Upon receipt of such requisition, the Chief Examiner of Election Accounts will check it against that copy of the Notice of Grant of a Poll and other sources of information available before the warrants are sent forward. The Chief Examiner of Election Accounts will send to the returning officer the exact number of warrants required. If a warrant is spoiled during its preparation, the returning officer will write the word CANCELLED across its face, and send it to the Chief Examiner of Election Accounts who will replace such spoiled warrant.

Checking  
polling  
station  
accounts.

**313. Checking Polling Station Accounts.**—As stated in paragraph 305 of these Instructions, each ordinary polling station account (Form 101) will be forwarded to the returning officer, immediately after the close of the poll, in the special envelope (Form 154), in which also should be enclosed the preliminary statement of the poll (Form 75). As these envelopes (Form 154) are received, they will be opened immediately and the polling station accounts carefully examined. If an account is improperly prepared or does not bear the name or address of any one of the persons entitled to payment nor the signature, wherever necessary, of the deputy returning officer, it will be sent back to the deputy returning officer concerned

with a request to complete it properly. The claim for the services of a constable or for the services of an interpreter, if any, on the back of the polling station account, should have been completely filled in and certified by the appropriate deputy returning officer. An extra supply of ordinary polling station accounts (Form 101) will be sent in Parcel L of List of Supplies No. One to replace mislaid or improperly prepared accounts. The accounts which appear to be properly prepared will be classified and made ready for certification by the returning officer and for the issue of the Election Fees Warrants after the official addition of the votes. The advance polling station account (Form 159), if any, will, at this stage, be laid aside and kept ready for transmission to the Chief Examiner of Election Accounts, as directed in paragraph 322 of these Instructions.

**314. Certification of Accounts.**—The polling station accounts for both ordinary and advance polls should be certified by the returning officer after the ballot boxes have been opened at the official addition of the votes and it has been ascertained that the papers received from the several polling stations are in good order. A deputy returning officer who has failed to comply with his instructions on the subject of the return of the papers from his polling station in their proper envelopes is not entitled to payment for his services, if it appears to the returning officer that the omission was made by reason of any want of good faith. The claim of such deputy returning officer will not be certified for payment. The claims of the other poll officials will, however, be approved by the returning officer on the alternative certificate printed at the foot of the front of the polling station account. The certificate on the polling station account will be signed by the returning officer with pen and ink and not with a rubber stamp.

Certification  
of polling  
station  
accounts.

Sec. 50 (12).

**315. Issue of Warrants.**—After the official addition of the votes has been held, the returning officer will issue Election Fees Warrants to deputy returning officers, poll clerks, and landlords of ordinary polling stations entitled to receive them. The warrants will be prepared direct from the ordinary polling station accounts, and the serial number of each warrant will be inserted in the space provided for that purpose on the account (Form 101) opposite the name and address of the person to whom it is issued. The returning officer will not issue warrants for a polling station unless the account is certified by himself and the deputy returning officer concerned. Moreover, the returning officer will not issue a warrant in payment of the fees of a deputy returning officer unless he has received the completed oath of office of such deputy. As each warrant is issued, the returning officer will fill in the necessary details on the stub attached to each warrant. These stubs are to be kept ready for transmission to the Chief Examiner of Election Accounts, as directed in the next following paragraph. Special care will be exercised by the returning officer to see that each warrant is for the proper amount and that the Christian names, surname, and post office address of the payee are correctly inserted in each case. After the warrants have been signed by the returning officer, they will be carefully checked before their transmission to the payees. Each warrant will be signed by the returning officer

Procedure  
to be  
followed.

Sec. 60.



with pen and ink and not with a rubber stamp. The returning officer will make sure that every space on the face of each warrant is duly filled in. When this has been done, the warrants will be placed in the window envelopes (Form 97) and sent by ordinary mail to the persons entitled to receive them.

Accounts and  
stubs sent to  
Chief  
Examiner of  
Election  
Accounts.

**316. Transmission of Accounts and Stubs.**—After the warrants have been issued, and without waiting until all the ordinary polling station accounts have been received, the accounts which have been dealt with will be arranged in proper order and sent immediately, with a covering list (Form 106), to the Chief Examiner of Election Accounts. Such ordinary polling station accounts as deputy returning officers have delayed sending in, or which have had to be returned to them for any reason, can be dealt with separately as they are received in good order. In each covering list, either original or subsequent, the several accounts mentioned should, however, appear in the order of the polling division or polling station numbers, the attached accounts being also arranged in that order. In the preparation of any covering list, care should be taken to ensure that the number of the polling division or polling station is correctly set out on both the account and the covering list. With every lot of ordinary polling station accounts, and in the same envelope, the returning officer will send to the Chief Examiner of Election Accounts every stub from which has been detached a warrant issued in settlement of a claim included in any ordinary polling station account transmitted at the same time. In other words, no ordinary polling station account will be sent to the Chief Examiner of Election Accounts unless accompanied in the same envelope with the stubs relating to the warrants issued in connection with such account.

## 17. PROCEDURE IN CASE OF RECOUNT

Attendance  
at recount.

Sec. 54 (1, 2).

Sec. 56 (1).

Sec. 54 (5).

**317. Recount.**—If a recount is desired by a candidate or other person, an application therefor must be made to the appropriate judge within four days after the date of the official addition of the votes, and if the judge issues an order for a recount the returning officer will no doubt hear of it before the expiration of the six days which must elapse between the official addition of the votes and the declaration of the elected candidate. If the returning officer learns that a recount has been ordered, he will retain the papers in his possession during two or three additional days, and upon being served with the judge's order he and the election clerk will attend before the judge at the time and place fixed, taking with them the papers specified in the order, the completed recapitulation sheets, and also, for the use of the judge, a fresh set of these sheets on which the numbers and names of the polling stations and the number of names on the official list of electors for every polling station, but nothing else, have been inserted, together with blank copies of the Certificate of result of voting (Form 150). The order may require the production only of the official statements of the poll or it may direct the production of all the large envelopes containing ballot papers, etc. In the latter case, the returning officer will take to the judge, without unsealing them,

all the ballot boxes containing the large envelopes (Forms 71, 78, or 90) enclosing the documents that make up the returns from the several polling stations of his electoral district. These ballot boxes will be opened as directed by the judge, and the above-mentioned large envelopes will be handed to him as required. Any candidate at the by-election who is present at the recount, or his representative, may examine the special metal seals affixed to the above-mentioned ballot boxes.

**318. Procedure during Recount.**—The returning officer will remain in attendance at the recount until it is completed. He will, unless the judge otherwise directs, assume responsibility for any unopened ballot box, for such unopened large envelopes (Forms 71, 78, or 90) which the judge does not desire to examine, and for the contents, other than ballot papers, of opened envelopes. The judge will himself assume responsibility for all the envelopes containing ballot papers which are handed to him and for such other papers as he desires to examine. These the Statute requires him personally to see that they are parcelled and sealed during any recess in the recount proceedings. At the conclusion of the recount, the judge will seal all the ballot papers in separate packages, and deliver them to the returning officer, who will place them in their original large envelopes or in special large envelopes (Form 90). These large envelopes must be carefully sealed with gummed paper seals (Form 111). The returning officer and the election clerk will affix their signatures to such seals, and any candidate or his representative who is present may also affix his signature thereto. These large envelopes will then be placed in the special mail bags for their transmission to the Chief Electoral Officer, as indicated in the Third Lot of paragraph 321 of these Instructions.

Custody of papers on and at conclusion of recount.

Sec. 54.

Sec. 54 (11).

**319. Declaration of Elected Candidate after Recount.**—At the same time as the judge returns the ballot papers and other documents to the returning officer, he will give to the latter either the original recapitulation sheets showing in red ink the corrections, if any, or a fresh set of recapitulation sheets showing the results of the voting at the several polling stations, as ascertained at his recount. In either case, the recapitulation sheets will be certified by the judge. Moreover, the judge will give to the returning officer a certificate of the result of his recount, using for that purpose Form 150, copies of which will be furnished to him by the returning officer. The judge will then transmit to each candidate in the field at the by-election a copy of such certificate in Form 150. Upon the judge's certificate being received, the returning officer will declare elected the candidate who has obtained the largest number of votes, voting himself (it may be for the second time) if the certificate shows that there is an equality of votes. This declaration the returning officer will make by completing the appropriate return to the writ in the space provided for that purpose on the back of the writ ordering the by-election. The returning officer will then send a copy of the return to the writ, in Form 141, to each candidate in the field at the by-election, after which he will immediately dispatch by registered mail to the Chief Electoral

Declaration by returning officer.

Sec. 54 (13).

Sec. 54 (14).

Officer all the documents and unused supplies mentioned in paragraph 321 of these Instructions.\*

## 18. STORING EMPTY BALLOT BOXES

Storage of  
empty ballot  
boxes.

Sec. 53.

**320. Storing Empty Ballot Boxes.**—The empty ballot boxes will be deposited in the custody of the officer in charge of a building owned or occupied by the Government of Canada, if any, at the place at which the official addition of the votes was held, or if there is no such building at such place, then with the postmaster thereat or with the sheriff of any county or judicial district or the registrar of deeds of any county or registration division who can most conveniently take care of them. If there is no such place for the storage of ballot boxes, the returning officer, if he can make satisfactory arrangements for their storage at a reasonable rate (for example, 10 cents a ballot box per year), may either do so or obtain special instructions from the Chief Electoral Officer on the subject. The custodian's receipt will be obtained in duplicate on the special form (Form 139); the first completed receipt will be sent to the Chief Electoral Officer with the return to the writ and other papers referred to in the First Lot of the next paragraph, and the second completed receipt will be left with the custodian.

## 19. RETURN TO THE WRIT

Return  
to the  
writ.

Sec. 56 (3).

**321. Declaration of Elected Candidate when no Recount is held.**—Immediately after the 6th day next following the date upon which the official addition of the votes has been completed (or if a recount has been ordered, then immediately thereafter, as directed in paragraph 319 hereof), the returning officer will declare elected the candidate who has obtained the largest number of votes, as ascertained at the official addition of the votes, by completing the return to the writ on the appropriate form provided for that purpose on the back of the writ ordering the by-election, and he will send a copy of such return to the writ, in Form 141, to each candidate in the field at the by-election. The returning officer will then immediately dispatch by registered mail to the Chief Electoral Officer all the following documents and unused supplies:

*First Lot (In envelope Form 70)—*

- (a) The writ properly endorsed (Sec. 56 (1) (a) of the Act).
- (b) The Proclamation (Form 4, one additional copy).
- (c) The returning officer's record book (Form 89).
- (d) The nomination papers of all candidates (Forms 27, 28).
- (e) The Notice of Grant of a Poll (Form 30, one additional copy).
- (f) The Notice of Holding of Advance Poll, if any (Form 65, one additional copy).
- (g) The printer's affidavit respecting the printing of the ballot papers (Form 36).

\* The returning officer should not overlook the necessity of obtaining from the judge a certificate of the number of days he and the election clerk have respectively attended at the recount. Such a certificate is necessary to support the claims made under Items 3 and 11 of the Tariff of Fees.



- (h) The receipt for the deposit of the ballot boxes (Form 139).
- (i) The Notice of Revision, if any (Form 14, one additional copy).
- (j) The returning officer's report of proceedings (Form 91).
- (k) The judge's certificate, if a recount has been held.
- (l) The Record of Transfer Certificates (Form 136).
- (m) The Record of Advance Poll Certificates (Form 137), if any.
- (n) The appointments and oaths of substitute revising officers (Forms 12, 13), if any.
- (o) The completed appointments and oaths of messengers, (Forms 59, 87), if any.

*Second Lot (In envelope Form 70)—*

- (a) The recapitulation sheets properly completed and totalled (Form 138).
- (b) The official statements of the poll (Form 58) from which the official addition of the votes was made.

**Warning:** The two above-mentioned envelopes (Form 70) must be sent to the Chief Electoral Officer as separate pieces of registered mail matter. These two envelopes must not, under any circumstances, be enclosed in any of the special mail bags used for the transmission of the documents and unused supplies referred to in the following Third and Fourth Lots.

*Third Lot (In special mail bags with tag, Form 80, attached to each)—*

- (a) The large envelopes (Forms 71, 78, or 90) containing the returns from the various polling stations.
- (b) The binder containing the statements of changes and additions.

*Fourth Lot (In special mail bags with tag, Form 80, attached to each)—*

- (a) The oaths of office of deputy returning officers (Form 32).
- (b) The unused forms and supplies.
- (c) The rubber stamps supplied.
- (d) The binders containing the written or typewritten preliminary lists.
- (e) The binder containing the printed preliminary lists.
- (f) The large cardboard envelopes containing the urban enumerators' used and unused record books, etc., if any.
- (g) The index books used by rural enumerators, if any.
- (h) The other papers received from the enumerators.
- (i) The revising officers' record sheets (Form 83), if any.
- (j) The other papers received from revising officers, if any.
- (k) The stereotype blocks.
- (l) The reserve supply of undistributed ballot papers.
- (m) The unused sheets of ballot papers.
- (n) The undistributed printed preliminary lists.

- (o) The cardboard boxes containing the urban enumerators' badges, if any.
- (p) The oaths of office of enumerators (Form 6).
- (q) The valuable cut off portions of sheets of ballot papers, if any.
- (r) The completed preliminary statements of the poll (Form 75).
- (s) The sheets of ballot paper spoiled in printing, if any.
- (t) The unused special metal seals, including those returned in the ballot boxes by deputy returning officers.

Transmission  
of accounts.

**322. Transmission of Accounts.**—The outstanding accounts relating to the conduct of the by-election should be obtained and sent to the Chief Examiner of Election Accounts as promptly as possible. Messengers' accounts, if any, should be kept by themselves and covered by a special list (Form 106), which should be transmitted with the returning officer's account, since both will be dealt with at the same time.

## 20. CANDIDATES' ELECTION EXPENSES

Return of  
candidates'  
election  
expenses.

Sec. 63 (1-5).

**323. Candidates' Expenses.**—After the returning officer has declared the candidate elected either by acclamation or after a poll, and has sent the outstanding accounts to the Chief Examiner of Election Accounts, his only other duty is to receive, within two months after the declaration of the elected candidate, the return of and declarations (Forms 61-64) covering the election expenses of the various candidates, and to see that a summary of this return, prepared on the special form (Form 115) and signed by the official agent, is published, within ten days after the receipt of such return, in a newspaper published or circulated in the electoral district. This summary is published at the candidate's expense, and whenever deemed advisable, the returning officer will require that the payment for such publication be made in advance. The return of election expenses of candidates and all attached papers the returning officer must keep in his possession for six months after their receipt and during that time he will permit their inspection and the making of extracts therefrom. He is entitled to 20 cents for each such inspection. At the end of the said six months the return of election expenses of each candidate may be destroyed, or sent to the candidate if a request has been made by either the candidate or his official agent.

Sec. 63 (6).

## 21. QUALIFICATIONS AND DISQUALIFICATIONS OF ELECTORS AT A BY-ELECTION

General rule  
as to qualifica-  
tions of  
electors.

Sec. 14 (1).

**324. Qualifications.**—(1) The general rule as to the qualifications of electors at a by-election, which is subject to certain exceptions specified in paragraphs 325 to 330 of these Instructions, is that every person, man or woman, is entitled to have his or her name included in the list of electors prepared for the polling division in which he or she was ordinarily resident on the date of the issue of the writ ordering the by-election in the electoral district, and is entitled to vote in such polling division, if he or she

- (a) is of the full age of twenty-one years or will attain such age on or before polling day at such by-election;
- (b) is a Canadian citizen or other British subject;
- (c) has been ordinarily resident in Canada for the twelve months immediately preceding polling day at such by-election; and
- (d) has continued to be ordinarily resident in the electoral district until polling day at such by-election.

(2) A person who has changed the place of his ordinary residence within the electoral district, after the date of the issue of the writ ordering a by-election, is entitled to vote in the rural polling division where his new residence is situated, if such person is otherwise qualified as an elector. However, since the name of such person cannot be legally registered on the list of electors for such new rural polling division either during the enumeration or the revision, the only way that such person can exercise his franchise in his new rural polling division is according to the procedure set forth in section 46 of the Act, which is printed at page 183.

Voting by qualified elector who has recently moved to a new rural polling division.

(3) A Canadian Forces elector is entitled to vote at a by-election only in the electoral district in which is situated the place of his ordinary residence as shown on the statement made by him under paragraph 22 of *The Canadian Forces Voting Regulations* and as recorded in the headquarters of the Canadian Forces.\*

Qualifications of Canadian Forces electors.

Sec. 14 (6).  
Sec. 16 (5).

(4) A person who was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950, and has been discharged from such Forces, and who is receiving treatment or domiciliary care under the jurisdiction of the Department of Veterans Affairs, in any hospital or institution, is entitled to vote at a by-election only in the electoral district in which is situated the place of his actual ordinary residence at the time of such by-election.

Qualifications of veteran electors.

Sec. 14 (7).

(5) A person who, subsequent to the 9th day of September, 1950, served on active service as a member of the Canadian Forces and has been discharged from such Forces, and has not attained the full age of twenty-one years, is entitled to have his name included in the list of electors prepared for the polling division in which he ordinarily resides and is entitled to vote at a by-election in such polling division, if such person is otherwise qualified as an elector.

Qualification of veteran under 21 years of age.

Sec. 14 (3).

(6) A woman who is the wife of an Indian, as defined in clause (c) of paragraph 325 of these Instructions, who was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950, is entitled to have her name included in the list of electors prepared for the polling division in which she ordinarily resides and is entitled to vote at a by-election in such polling division, if such a woman is otherwise qualified as an elector.

Qualification of wife of Indian veteran.

Sec. 14 (4).

\* See pertinent paragraphs of *The Canadian Forces Voting Regulations*, which are printed at pages 264 to 266.



Disqualified persons.

Sec. 14 (2).

**325. Disqualifications.**—There are certain classes of persons who, although qualified as electors under the general rule referred to in subparagraph (1) of paragraph 324 of these Instructions, are not entitled to be registered as electors nor to vote at a by-election; thus no person is entitled to be registered as an elector or to vote who:

Returning officer.

Sec. 14 (2) (c).

Judge.

Sec. 14 (2) (d).

Indian.

Sec. 14 (2) (e).

- (a) is the returning officer for the electoral district, except when there is an equality of votes on the official addition or on a recount, as provided in the Statute;
- (b) is a judge appointed by the Governor in Council;
- (c) except in the case of a person mentioned in subparagraph (6) of paragraph 324 of these Instructions, is an Indian, as defined in the *Indian Act*, ordinarily resident on a reserve,\* unless,
  - (i) he was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950, or
  - (ii) he executed a waiver, in a form prescribed by the Minister of Citizenship and Immigration, of exemptions under the *Indian Act* from taxation on and in respect of personal property, and subsequent to the execution of such waiver a writ has issued ordering an election.

(According to the definition given in the *Indian Act*, the term "Indian" means a person who is registered as an Indian or is entitled to be registered as an Indian.)

Inmate of penal institution.

Sec. 14 (2) (f)

Mental disease.

Sec. 14 (2) (g).

Election offences.

Sec. 14 (2) (h).

Summer resident.

Sec. 16 (9)

Inmate of lodgings, hostels, refuges, etc.

Sec. 16 (14).

Person temporarily engaged in a public work.

Sec. 16 (12).

- (d) is undergoing punishment as an inmate in any penal institution for the commission of an offence;
- (e) is restrained of his liberty of movement or deprived of the management of his property by reason of mental disease;
- (f) is disqualified from voting under any law relating to the disqualification of electors for corrupt or illegal practices;\*\*
- (g) is occupying residential quarters that are generally occupied only during some or all of the months of May to October, inclusive, and generally remain unoccupied during some or all of the months of November to April, inclusive;
- (h) is staying in lodgings, hostels, refuges or similar institutions conducted for charitable or semi-charitable purposes, unless such person has been in continuous residence in such lodgings, hostels, refuges or similar institutions, for at least ten days immediately preceding the date of the issue of the writ ordering the by-election;
- (i) has come to the electoral district for the purpose of engaging temporarily in the execution of any federal or provincial public work, or as a resident in any camp temporarily established in connection with any such public

\* If an Indian does not reside on a reserve, his right to vote is to be determined in the same manner as any other person who is not an Indian.

\*\* Disqualification by reason of illegal or corrupt practices need not concern the election officers unless they happen to know that the person in question has been convicted of an offence in connection with an election and disqualified from voting by the Court.

work under federal or provincial government control located in such electoral district, unless such person has been in continuous residence therein for at least thirty days immediately preceding the date of the issue of the writ ordering the by-election;

- (j) is the wife or dependant of a person mentioned in the preceding clause (i) who has come to the electoral district for the purpose of occupying residential quarters during the course and as a result of the services performed by such person, unless such wife or dependant has been in continuous residence therein for at least thirty days immediately preceding the date of the issue of the writ ordering the by-election; and Wife or dependant of person temporarily engaged in a public work. Sec. 16 (13).
- (k) is employed for pay or reward on behalf of a candidate in connection with the by-election.\* Paid election worker. Sec. 15.

## 22. ORDINARY RESIDENCE OF ELECTORS

### 326. What does "ordinarily resident" mean generally.—

(1) There is often difficulty in determining where a person can fairly be said to be "ordinarily resident" at any given time or during any given period. In deciding whether a person has been ordinarily resident in Canada for the twelve months immediately preceding polling day at the by-election, whether he was ordinarily resident in the polling division on the date of the issue of the writ ordering the by-election, or whether he has continued to be ordinarily resident in the electoral district from the issue of such writ onward, the election officers will be guided by the relevant directions of these Instructions. A person may in general be said to be ordinarily resident at the place where he sleeps, but this may not be so if there is some other place which is his real place of ordinary residence or home, for instance, an establishment which he permanently maintains as his residential quarters or at which his wife or children ordinarily reside or, in the case of a young man or woman, with his or her parents. For the purpose of his qualification as an elector, everyone is entitled to be treated as ordinarily resident at his home even during the time he is absent therefrom for any temporary purpose, though if he has no real home or if, in spite of his having one, he makes his residential quarters elsewhere for any substantial length of time, he is entitled to be treated as an ordinary resident of the place where his temporary residential quarters are. Definition of ordinary residence. Sec. 16 (1-4).

(2) A student who is absent from home while attending a university or other educational institution and who spends most of his holidays at his parents' dwelling place and, in addition, returns thereto at every other opportunity, does not cease to ordinarily reside in the polling division in which such dwelling place is situated. Such student, if otherwise qualified as an elector, is entitled to have his name included in the list of electors prepared for the polling division in which his parents' dwelling place is situated and is entitled to vote at a by-election in such polling division, as though he had been continuously residing Ordinary residence of students.

\* The disqualification by reason of employment for pay or reward in effect applies to any person employed on behalf of a candidate in connection with the by-election unless such person comes under the exceptions mentioned in section 15 of the Act.

therein. For this purpose, it is immaterial whether the student was at home or at the educational institution on the date upon which the writ ordering the by-election was issued.

Residence of  
members of the  
Canadian  
Forces.

Sec. 16 (5).

**327. Members of the Canadian Forces.**—The Statute prescribes that a Canadian Forces elector is deemed to continue to ordinarily reside in the polling division in which is situated the place of his ordinary residence as shown on the statement made by him under paragraph 22 of *The Canadian Forces Voting Regulations* and as recorded in the headquarters of the Canadian Forces.\* Therefore, such person is entitled to have his name included in the list of electors prepared for such polling division in connection with the by-election, no matter how long he may have been absent from such polling division while on service in the Canadian Forces.

Patients, etc.,  
in ordinary  
hospitals.

**328. (A) Patients, etc., in Ordinary Hospitals.**—In an ordinary (acute) hospital, the average stay of patients being ten days, election officers should bear in mind that such patients are not entitled to have their names included in the list of electors prepared for the polling division in which such hospital is situated. Therefore, in an ordinary hospital, the only persons who are entitled to have their names included in the list of electors prepared for the polling division in which such hospital is situated and who are entitled to vote at a by-election in such polling division, are the permanent patients or inmates and the members of the permanent staff who are ordinarily and continuously residing in such hospital, if such persons are otherwise qualified as electors.

Persons  
residing  
in a  
sanatorium,  
etc.

Sec. 16 (15).

**(B) Persons residing in a Sanatorium, etc.**—A person is deemed to be ordinarily resident, on the date of the issue of the writ ordering a by-election in the electoral district, in a sanatorium, a chronic hospital, or similar institution for the treatment of tuberculosis or other chronic diseases, if such person has been in continuous residence therein for at least ten days immediately preceding the date of the issue of such writ; therefore, such person is entitled to have his name included in the list of electors prepared for the polling division in which such sanatorium, chronic hospital, or similar institution is situated and is entitled to vote in such polling division, if such person is otherwise qualified as an elector.

Residence  
qualifications  
of unmarried  
teachers.

**329. Unmarried Teachers.**—No hard and fast rules can be applied to an unmarried teacher who keeps continuously in touch with the home of her parents during the period she is teaching school in another electoral district. For instance, take the case of an unmarried teacher whose parents' home is in the City of St. Thomas, but who teaches school in the City of Oshawa; if such a teacher spends most of her holidays at her parents' home, and, in addition, returns thereto at every other opportunity, she can reasonably maintain that she has not ceased to ordinarily reside with her parents. Therefore, in the event of a by-election being held in the electoral district where the City of St. Thomas is

\* See pertinent paragraphs of *The Canadian Forces Voting Regulations*, which are printed at pages 264 to 266.



situated, there should be no objection raised to such a teacher being registered on the list of electors, and to her voting in the polling division of the City of St. Thomas where the home of her parents is situated, if she is otherwise qualified as an elector. On the other hand, such a teacher can also reasonably maintain that she is ordinarily residing in the polling division of the City of Oshawa where her place of residence while teaching school is situated. Therefore, in the event of a by-election being held in the electoral district where the City of Oshawa is situated, there should be no objection raised to such a teacher being registered on the list of electors, and to her voting in the polling division of the City of Oshawa where the place of her residence while teaching school is situated. What is stated above might appear to apply only to female unmarried teachers, but it applies equally to unmarried teachers of the opposite sex.

## 23. STATEMENT RELATING TO CANADIAN CITIZENS AND BRITISH SUBJECTS\*

### Canadian Citizens

**330.** Canadian citizens may be divided into two classes—natural-born and other than natural-born. The natural-born may be divided into two sub-divisions:

1. A person born before the commencement of the Canadian Citizenship Act (January 1, 1947) is a natural-born Canadian citizen—

- (a) If he was born in Canada or on a Canadian ship (including airship) and was not an alien on the 1st day of January, 1947;
- (b) If he was born outside of Canada elsewhere than on a Canadian ship and was not, on the 1st day of January, 1947, an alien and either was a minor on that date or had, before that date, been lawfully admitted to Canada for permanent residence and his father (or the mother in the case of a person born out of wedlock)—
  - (i) was born in Canada or on a Canadian ship and was not an alien at the time of that person's birth, or
  - (ii) was, at the time of that person's birth, a British subject who had Canadian domicile, or
  - (iii) was, at the time of that person's birth, a person who had been granted, or whose name was included in, a certificate of naturalization, or
  - (iv) was a British subject who had his place of domicile in Canada for at least twenty years immediately before the 1st day of January, 1947, and was not, on that date, under order of deportation.

(NOTE: Canadian domicile, for the purposes of (ii), is Canadian domicile within the meaning of the Immigration Act, and the father would be required to prove, in effect, that he was in possession of Canadian domicile at the time of his child's birth.)

\* The laws relating to Canadian citizenship and British nationality are somewhat involved; therefore, in case of doubt on any matter of citizenship or nationality, the question should be referred to the Registrar of Canadian Citizenship, Department of Citizenship and Immigration, Ottawa.

Declaration  
of  
retention.

A person who is a Canadian citizen under paragraph (b), and was a minor on the 1st day of January, 1947, ceases to be a Canadian citizen upon the date of the expiration of three years after the day on which he attains the age of twenty-one years unless he—

- (a) has his place of domicile in Canada at such date; or
- (b) has, before such date and after attaining the age of twenty-one years, filed, with a representative of the Government of Canada, or with the Registrar of Canadian Citizenship, a declaration of retention of Canadian citizenship.

Natural-  
born  
Canadian  
citizen on  
or after  
January 1,  
1947.

2. A person, born after the 31st day of December, 1946, is a natural-born Canadian citizen—

- (a) If he is born in Canada or on a Canadian ship;
- (b) If he is born outside of Canada elsewhere than on a Canadian ship and his father (or the mother, in the case of a person born out of wedlock), at the time of that person's birth, is a Canadian citizen, and the fact of the birth is registered (by the father, the mother, or the legal guardian of the child) with a representative of the Government of Canada (ultimately it reaches the Registrar of Canadian Citizenship), within two years after its occurrence, or within such extended period as the Minister of Citizenship and Immigration may authorize in special cases.

Children  
born in  
Canada of  
Diplomatic  
Represent-  
atives.

NOTE: Paragraph 2 (a) does not apply to a person if, at the time of that person's birth, his responsible parent—

- (a) is an alien who has not been lawfully admitted to Canada for permanent residence; and
- (b) is
  - (i) a foreign diplomatic or consular officer or a representative of a foreign government accredited to Her Majesty,
  - (ii) an employee of a foreign government attached to or in the service of a foreign diplomatic mission or consulate in Canada, or
  - (iii) an employee in the service of a person referred to in subparagraph (i).

Declaration  
of  
retention.

NOTE: A person who is a Canadian citizen as described in 2(b) ceases to be a Canadian citizen upon the date of the expiration of three years after the day on which he attains the age of twenty-one years unless he complies with precisely the same conditions as those set out in paragraphs (a) and (b) of the latter part of 1.

Petition  
for  
resumption  
of Canadian  
citizenship.

NOTE: A person who has ceased to be a Canadian citizen by failure to establish a place of domicile in Canada, or to file a declaration of retention may, in accordance with the regulations, file a petition for resumption of Canadian citizenship and shall, if the petition is approved by the Minister of Citizenship and Immigration, be deemed to have resumed Canadian citizenship as of the date of such approval, or as of such other earlier or later date as the Minister may fix in any special case, and the Minister may issue a certificate of citizenship accordingly.

*Canadian citizens other than natural-born*

A person other than a natural-born Canadian citizen is a Canadian citizen, if—

Other than  
natural-  
born  
Canadian  
citizen.

- (a) that person was granted, or the name of that person was included in, a certificate of naturalization, and was not an alien on the 1st day of January, 1947, or
- (b) that person, immediately before the 1st day of January, 1947, was a British subject who had Canadian domicile, or
- (c) that person was a British subject who had his place of domicile in Canada for at least twenty years immediately before the 1st day of January, 1947, and was not, on that date, under order of deportation, or
- (d) that person, being a woman other than a woman who comes within paragraph (a), (b) or (c),
  - (i) before the 1st day of January, 1947, was married to a man who, if the Canadian Citizenship Act had come into force immediately before the marriage, would have been a natural-born Canadian citizen, or a Canadian citizen as provided in (a), (b) or (c) immediately above, and
  - (ii) on the 1st day of January, 1947, was a British subject and had been lawfully admitted to Canada for permanent residence.

NOTE: With respect to (b), immediately above, "Canadian domicile" means a residence of five years' residence in Canada after the date of admission for permanent residence, as required under the Canadian Immigration Act.

NOTE: A British subject who does not come within the category of (b), (c) or (d) does not acquire Canadian citizenship unless he qualifies for and is granted a certificate of Canadian citizenship.

NOTE: The foregoing, "Canadian citizens other than natural-born", is transitional, having to do with the status of persons at the commencement of the Canadian Citizenship Act on January 1, 1947.

**British Subjects**

The Statute prescribes that a Canadian citizen is a British subject; but a person may be a British subject and not a Canadian citizen.

Status of  
British  
subjects.

*1. Who Are British Subjects?*

Dealing with the question in the most general terms, a person is a British subject by birth, by naturalization, or, in the case of a woman, by marriage to a British subject prior to the 1st January, 1949. If the marriage has taken place since the 1st January, 1949, the alien woman has not become a British subject merely by the fact of marriage.

NOTE: Under Canadian law, an alien woman who marries a Canadian citizen after January 1, 1947, becomes neither a British subject nor a Canadian citizen. However, under the naturalization laws of the United Kingdom, the period during which an alien woman could become a British subject on marriage con-



tinued until their new Act came into force on January 1, 1949. There is a provision in the Canadian Statute which recognizes this fact; therefore, it may be said generally that up to January 1, 1949, the alien woman who married a British subject automatically acquired British nationality.

## 2. *Acquisition of British Nationality*

How British  
nationality  
is acquired.

Every person has, in Canada, the status of a British subject who—

- (a) was born in any country of the British Commonwealth, or on a British ship, or on a Canadian ship or aircraft, regardless of the nationality of his or her parents, or
- (b) was born elsewhere of a father who, at the time of the child's birth, was a British subject, or
- (c) has been personally granted a certificate of naturalization under any statute of Canada, or under a naturalization act in any other country of the British Commonwealth, or
- (d) has had his or her name included in a certificate of naturalization granted to a parent under the Canadian Naturalization Act, 1914, and subsequent acts up to 1947, or in a certificate granted to a parent in any other country of the British Commonwealth, or
- (e) is the child of a person naturalized in Canada before January 1, 1915, and was a minor and resident in Canada at the time of the naturalization of the parents, or was a minor and resident in Canada before January 1, 1915, or
- (f) is the wife of a man who was an alien at the time of the marriage but later, during the marriage and before January 15, 1932, became a naturalized British subject, or
- (g) is a woman who, between January 15, 1932, and January 1, 1947, and following the naturalization of her alien husband, filed with the Naturalization Branch a declaration of her desire to acquire British nationality. A woman in this category would be in possession of her own certificate of naturalization as a British subject.

## 3. *Commonwealth Countries*

List of  
Common-  
wealth  
countries.

A person who has acquired the status of a British subject by birth or naturalization under the laws of any country of the British Commonwealth to which he was subject at the time of his birth or naturalization is recognized in Canada as a British subject. These British Commonwealth countries are—

Australia  
Canada  
Ceylon  
India  
New Zealand  
Pakistan  
Southern Rhodesia  
Union of South Africa  
United Kingdom.

#### 4. *Special Status of Citizens of the Republic of Ireland*

Although the Republic of Ireland is not now a Commonwealth country, and although its citizens are not British subjects, nevertheless its citizens are given, in Canada, the same consideration as British subjects. The Statute reads—

“Any law of Canada, including this Act, and any regulation made under the authority of any law of Canada shall, unless it otherwise provides, have effect in relation to a citizen of the Republic of Ireland who is not a British subject in like manner as it has effect in relation to a British subject.”

### General Definitions

1. “Alien” means a person who is not a Canadian citizen, Commonwealth citizen, British subject, or citizen of the Republic of Ireland. Definitions.

2. “Foreign”, as applied to a country, a government, or a nationality, does not include a Commonwealth country, or the Republic of Ireland.

### Loss of Canadian Citizenship and British Nationality

1. A person who ceases to be a Canadian citizen also ceases to be a British subject unless, under the laws of a Commonwealth country, he has the status of a British subject following his loss of Canadian citizenship. How Canadian citizenship and British nationality are lost.

#### 2. *Loss of Canadian Citizenship*

Canadian citizenship is lost by—

- (a) a Canadian citizen who, when outside of Canada, and not under a disability (a minor, a lunatic, or an idiot), by a voluntary act other than marriage acquires the nationality or citizenship of a country other than Canada.

NOTE: This does not apply where the nationality or citizenship acquired is that of a country at war with Canada at the time of the acquisition, but, in such a case the Minister of Citizenship and Immigration may, in his discretion, order that the Canadian citizen shall cease to be a Canadian citizen. The purpose of this is to hold the person, if deemed necessary, to his obligations as a Canadian citizen.

- (b) a Canadian citizen, who, under the law of another country, is a national or citizen of such country and who serves in the armed forces of such country when it is at war with Canada. This does not apply if the Canadian citizen became a national or citizen of such country when it was at war with Canada.
- (c) a Canadian citizen who, when in Canada, and not under disability, acquires the nationality or citizenship of a foreign country by any voluntary act other than marriage. This, however, is not automatic loss; in such cases, the Governor in Council may, in his discretion, order that such a person shall cease to be a Canadian citizen.
- (d) a Canadian citizen (other than a natural-born Canadian citizen or a Canadian citizen who has served in the armed forces of Canada in time of war and has been honorably

discharged therefrom) who resides outside of Canada for a period of at least ten consecutive years without having maintained some substantial connection with Canada, as set out in the Statute.

NOTE: This is automatic loss of citizenship, but the period of absence may, upon application, be extended beyond ten years, for good and sufficient cause, in accordance with the Citizenship Regulations.

The section of the Canadian Citizenship Act governing automatic loss after an absence of ten years is new; that is, there was not a similar provision under the Naturalization Act. Therefore, this section is effective only from January 1, 1947, and will not come into operation until January 1, 1957, ten years from the date of the coming into force of the Canadian Citizenship Act.

Resumption  
with  
approval of  
Minister.

A person who has ceased to be a Canadian citizen after a residence of ten consecutive years outside of Canada may, in accordance with the regulations, file a petition for resumption of Canadian citizenship and shall, if the petition is approved by the Minister of Citizenship and Immigration, be deemed to have resumed Canadian citizenship as of the date of such approval or as of such earlier or later date as the Minister may fix in any special case, and the Minister may issue a certificate of citizenship accordingly.

### Loss of Citizenship by Revocation

(Applicable only to naturalized persons)

Loss to  
naturalized  
persons by  
revocation.

The citizenship of a Canadian citizen, other than a natural-born Canadian citizen, may be revoked by the Governor in Council for such reasons as trading or communicating with an enemy country during time of war; disaffection or disloyalty whilst out of Canada, or, whilst in Canada, has, by a court of competent jurisdiction, been convicted of any offence involving disaffection or disloyalty; obtaining a certificate of naturalization or Canadian citizenship by false representation or fraud; residence outside of Canada for not less than six years (without maintenance of substantial connection) since becoming a Canadian citizen or being naturalized in Canada; residence for not less than two years in a foreign country of which he was a national or citizen at any time prior to his becoming a Canadian citizen or being naturalized in Canada, and has not maintained substantial connection with Canada.

### Loss by Revocation

(Applicable to both natural-born and naturalized persons)

Loss to  
natural-  
born and  
naturalized  
persons by  
revocation.

The Governor in Council may, in his discretion, order that any person shall cease to be a Canadian citizen if, upon a report from the Minister of Citizenship and Immigration, he is satisfied that such person has, when not under a disability—

- (a) taken or made an oath, affirmation, or other declaration of allegiance to a foreign country;
- (b) made a declaration renouncing his Canadian citizenship.



### Loss in Relation to Women

A British subject woman who married an alien before January 1, 1947, and upon marriage acquired her husband's alien nationality, ceased to be a British subject. If the husband was a British subject who became an alien during the course of the marriage, and prior to January 1, 1947, his wife became an alien if she acquired her husband's nationality. <sup>Loss to women in any manner.</sup>

NOTE: Persons in the above category were automatically restored to British nationality by the British Nationality Act, 1948.

In the case of a marriage subsequent to January 1, 1947, the woman, being a Canadian citizen, does not lose the status of a Canadian citizen and a British subject, unless, having on marriage acquired her husband's nationality, she makes a declaration renouncing her Canadian citizenship (equivalent, for this purpose, to British nationality).

NOTE: The foreign countries, under the laws of which a woman does not acquire the citizenship of such countries on marriage, are—

Argentina	Morocco
Brazil	Palestine
Chile	Panama
Colombia	Paraguay
Ecuador	United States of America
Guatemala	Uruguay.

*Part I—By-Election Instructions for Returning Officers*TARIFF OF FEES FOR ELECTION OFFICERS AND OTHER  
PERSONS ENGAGED IN THE CONDUCT OF ELECTIONS

Established by His Excellency the Governor in Council on the recommendation of the Chief Electoral Officer, pursuant to subsection (1) of section 60 of the *Canada Elections Act*.

## Section I. RETURNING OFFICER

- Item 1. *Not applicable at a by-election.*
- Item 2. For all personal services (including at a by-election any revision that may be deemed necessary in the polling division and the revisal district arrangement of the electoral district):
  - (a) in areas in which the polling divisions are urban: an allowance of four cents for the name of each elector included in the preliminary lists;
  - (b) in areas in which the polling divisions are rural: an allowance of \$8 for each polling station necessarily established.
- Item 3. For services attending at a recount held under section 54 of the *Canada Elections Act*: for each day's attendance, as certified by the judge, an allowance of \$15.
- Item 4. For services of stenographers and clerical assistants, including services for the tabulation of election results immediately after the close of the polls on polling day, the amount shown by vouchers submitted to have been necessarily and reasonably paid, not exceeding:
  - (a) in areas in which the polling divisions are urban, including any expense incurred in the posting up of the Notice of Revision and in the addressing of the envelopes for the mailing of the preliminary lists to various electors, an allowance of three cents for the name of each elector included in the preliminary lists;
  - (b) in areas in which the polling divisions are rural, an allowance of \$2.75 for each polling station necessarily established.
- Item 5. For stationery, postage, telegrams, rental of typewriters, adding machines and office furniture, installation of telephones and service, long distance tolls, cartage of election supplies, cleaning and repairing of ballot boxes, or other incidental outlays: the amount shown by vouchers submitted to have been necessarily and reasonably paid.
- Item 6. For the rental of an office in connection with the conduct of the election:
  - (a) in the case of an electoral district containing at least 20,000 urban electors: the actual and reasonable cost as shown by receipted voucher;
  - (b) in the case of any other electoral district, an allowance of \$150.

NOTE.—The returning officer, for his own travel in connection with the conduct of the election, is entitled to the travelling allowances specified in Item 37 hereof.

## Section II. ELECTION CLERK

- Item 7. For services attending at the nomination of candidates on nomination day, an allowance of \$8.
- Item 8. For services attending at the office of the returning officer on the three days during which advance polls are open (if an advance poll is authorized in the electoral district), an allowance of \$37.50.
- Item 9. For services attending at the office of the returning officer on the ordinary polling day, an allowance of \$12.50.
- Item 10. For services attending at the official addition of the votes, an allowance of \$12.50.
- Item 11. For services attending at a recount held under section 54 of the *Canada Elections Act*: for each day's attendance, as certified by the judge, an allowance of \$12.50.
- Item 12. In rural areas only, for services when necessarily employed in travelling in connection with the conduct of the election: per day of not less than six hours of necessary absence from place of residence, an allowance of \$8.

NOTE.—In addition to the above-mentioned allowances, the election clerk (except in the case of urban polling divisions) is entitled to the travelling allowances specified in Item 37 hereof when he is required to travel in connection with the conduct of the election. The election clerk is eligible to act as a clerical assistant in the office of the returning officer, and for such services to be paid by the returning officer out of the allowance provided in Item 4 hereof.

### Section III. PRINTING ALLOWANCES

- Item 13. For printing the preliminary lists of electors, according to the specimen lists supplied by the Chief Electoral Officer:
- (a) in the case of urban polling divisions, an allowance of fifteen cents for the name of each elector included in the preliminary lists as printed (this allowance to cover the headings, including the notices and certificates, and the total number of copies of each preliminary list ordered by the returning officer);
  - (b) in the case of rural polling divisions, an allowance of fourteen cents for the name of each elector included in the preliminary lists as printed (this allowance to cover the headings, certificates, and the total number of copies of each preliminary list ordered by the returning officer).
- Item 14. For printing the Proclamation (Form 4), according to the specimen form supplied by the Chief Electoral Officer:
- (a) in every province except Quebec and Manitoba:
    - (i) for the first 100 copies or less, an allowance of \$43; and
    - (ii) for each copy over 100 ordered by the returning officer, an allowance of five cents.
  - (b) in the provinces of Quebec and Manitoba (where the Proclamation is printed in English and French on the same sheet):
    - (i) for the first 100 copies or less, an allowance of \$58; and
    - (ii) for each copy over 100 ordered by the returning officer, an allowance of five cents.
- Item 15. For printing the Notice of Revision (Form 14) according to the specimen form supplied by the Chief Electoral Officer (in the case of urban polling divisions only):
- (a) for the first 100 copies or less when only one revisal district is mentioned thereon, an allowance of \$45; and
  - (b) for each additional revisal district mentioned thereon, an allowance of \$4; and
  - (c) for each copy over 100 ordered by the returning officer, an allowance of five cents.
- Item 16. For printing, numbering, and binding or stitching ballot papers, according to the sample sheet of ballot paper and the specimen book of ballot papers supplied by the Chief Electoral Officer:
- (a) when printed with the names of two or three candidates, an allowance of \$8.50 per thousand;
  - (b) when printed with the names of four or five candidates, an allowance of \$9 per thousand;
  - (c) when printed with the names of six or more candidates, an allowance of \$9.50 per thousand.
- Item 17. For printing the Notice of Grant of a Poll (Form 30), according to the specimen form supplied by the Chief Electoral Officer:
- (a) for the first 100 copies or less, an allowance of sixteen cents per square inch of printed matter; and
  - (b) for each copy over 100 ordered by the returning officer:
    - (i) when printed on three sheets, an allowance of nine cents;
    - (ii) when printed on four sheets, an allowance of twelve cents;
    - (iii) when printed on five sheets, an allowance of fifteen cents;
    - (iv) when printed on six sheets or more, an allowance of eighteen cents.
- Item 18. For printing the Notice of Holding of Advance Poll (Form 65), according to the specimen form supplied by the Chief Electoral Officer:
- (a) for the first 100 copies or less, an allowance of \$43; and
  - (b) for each copy over 100 ordered by the returning officer, an allowance of five cents.
- Item 19. For other necessary sundry printing ordered by the returning officer: the expenses necessarily and reasonably incurred, as shown by vouchers submitted.



NOTE.—Each account for printing must be prepared by the printer on his own stationery, certified by the returning officer, and accompanied by a sample of the work done. In addition to the foregoing printing allowances, a printer who holds a manufacturer's sales tax licence from the Department of National Revenue will charge the ordinary sales tax on his account for election printing. A printer who does not hold a manufacturer's sales tax licence because his annual printing business is less than \$3,000 should carefully bear in mind that if, when called upon to do any election printing or otherwise, it appears that his total printing business for the current year will exceed the said amount of \$3,000, he must immediately obtain from the Department of National Revenue, at Ottawa, a manufacturer's sales tax licence and then charge the sales tax on his account for election printing. Each account for election printing in which a claim is made for sales tax must bear the manufacturer's sales tax licence number given to the printer by the Department of National Revenue. It is not necessary for a printer whose total annual printing business is less than \$3,000 to obtain a manufacturer's sales tax licence, but such a printer must not charge any sales tax on his account for election printing. Printing accounts submitted under Section III hereof are not subject to Provincial or Municipal Sales Tax.

#### Section IV. URBAN ENUMERATORS

- Item 20. For all services in connection with the preparation of the preliminary list and the necessary number of copies thereof, an allowance of ten cents to each of the two enumerators for the name of each elector properly included in the preliminary list of the urban polling division for which such enumerators have been appointed (with a minimum allowance of \$25 to each of the two enumerators).

#### Section V. SUBSTITUTE REVISING OFFICER

*(In the case of urban polling divisions only)*

- Item 21. For all services, including sittings for revision and all duties required to be performed in connection therewith: an allowance of \$6 for every polling division comprised in the revisal district for which the revising officer has been appointed (with a minimum allowance of \$75).
- Item 22. For postage: the amount shown by vouchers submitted to have been necessarily and reasonably paid.
- Item 23. For the services of clerical assistants required in the preparation of the necessary number of copies of the statements of changes and additions as prescribed by Rule (40) of Schedule A to section 17 of the *Canada Elections Act*, and for other revision duties: for each polling division comprised in the revising officer's revisal district, an allowance of
- (a) \$1.25, when two candidates are officially nominated in the electoral district;
  - (b) \$1.50, when three candidates are officially nominated in the electoral district;
  - (c) \$1.75, when four candidates are officially nominated in the electoral district;
  - (d) \$2, when five candidates are officially nominated in the electoral district;
  - (e) \$2.25, when six or more candidates are officially nominated in the electoral district.

#### Section VI. RENTAL OF REVIVAL OFFICE

*(In the case of urban polling divisions only)*

- Item 24. For a building or part of a building used as a revisal office (including fuel, light, and furniture): for each day's sittings of the revising officer, an allowance of \$15.

#### Section VII. RURAL ENUMERATOR

- Item 25. For all services in connection with the enumeration, including (a) posting up copies of the notice of rural enumeration; (b) making house-to-house visits, when necessary; (c) preparing the index book; (d) making four copies of the preliminary list; (e) transmitting two copies of such list to the returning officer; (f) posting up one copy of such list; and (g) performing all other necessary duties: an allowance of eleven cents for the name of each elector properly included in the preliminary list (with a minimum allowance of \$25).

- Item 26. For all services after the preliminary list has been posted up, including (a) revising the preliminary list in the index book; (b) attending for revision on Thursday, the 18th day before polling day; (c) preparing six copies of the statement of changes and additions; and (d) dispatching all necessary documents to the returning officer: an allowance of \$11.
- Item 27. For postage and registration fees, if any, on the two envelopes (Form 118) containing copies of the preliminary list, etc., sent to the returning officer: the expenses necessarily and reasonably incurred.

Section VIII. DEPUTY RETURNING OFFICER AND POLL CLERK  
AT AN ORDINARY POLL  
*Deputy Returning Officer*

- Item 28. For all services, including attendance at the ordinary polling station on polling day, an allowance of \$15.
- Poll Clerk*
- Item 29. For all services, including attendance at the ordinary polling station on polling day, an allowance of \$10.

Section IX. DEPUTY RETURNING OFFICER AND POLL CLERK  
AT AN ADVANCE POLL  
*Deputy Returning Officer*

- Item 30. For all services, including attendance at advance polling station on Thursday, Friday, and Saturday immediately preceding the ordinary polling day, and at 6 p.m. on the ordinary polling day for the counting of the votes: an allowance of \$45.
- Poll Clerk*
- Item 31. For all services, including attendance at advance polling station on Thursday, Friday, and Saturday immediately preceding the ordinary polling day, and at 6 p.m. on the ordinary polling day for the counting of the votes: an allowance of \$30.

Section X. RENTAL OF ORDINARY POLLING STATION

- Item 32. For a building or part of a building used as an ordinary polling station (including fuel, light, and furniture): an allowance of \$15 for each polling station established therein.

Section XI. RENTAL OF ADVANCE POLLING STATION

- Item 33. For a building or part of a building used as an advance polling station (including fuel, light, and furniture): for the three days that the advance poll is open, and for the counting of the votes at 6 p.m. on the ordinary polling day, an allowance of \$45.

Section XII. MESSENGER, INTERPRETER, AND CONSTABLE

- Item 34. (a) *In rural areas only:* For the services of a messenger appointed by the returning officer to travel in rural areas only, in connection with the conduct of the election: per day of not less than six hours of necessary absence from place of residence, an allowance of \$8.

NOTE.—Messengers appointed to travel in rural areas are entitled to the travelling allowances specified in Item 37 hereof.

- (b) *In urban areas only:* For the services of a messenger appointed by the returning officer to travel in urban areas only, to deliver the duplicates of transfer certificates, advance poll certificates, and certificates in cases of omissions of names from the official lists of electors, to the appropriate deputy returning officers on the day immediately preceding polling day and on polling day itself, an allowance of twenty cents for the delivery of one or more certificates to each of such deputy returning officers (with a minimum allowance of \$7 per day). This allowance covers all necessary travelling.

- Item 35. For the services of an interpreter at a polling station, when duly appointed and sworn by the deputy returning officer, and necessarily employed while the poll is open on polling day, an allowance of \$5.
- Item 36. For the services of a constable at a polling station, when duly appointed and sworn by the deputy returning officer, and necessarily employed while the poll is open on polling day, an allowance of \$5.

*Part I—By-Election Instructions for Returning Officers*

## Section XIII. TRAVELLING ALLOWANCES

Item 37. For necessary travel in connection with the conduct of the election:

*In rural areas*

- (a) by road: an allowance of ten cents per mile plus actual and reasonable living expenses, as shown by vouchers submitted;
- (b) by air, rail or water and for any journey by land in lieu of the foregoing allowance: the expenses necessarily and reasonably incurred, as shown by vouchers submitted;

*In urban areas*

- (c) the returning officer is entitled to an allowance of \$1 for each 300 names included in the urban preliminary lists.

Section XIV. SPECIALLY DEPUTIZED PERSON TO ISSUE ADVANCE  
POLL CERTIFICATES

Item 38. For all services in the issue of advance poll certificates in one of the places mentioned in Schedule Two to the *Canada Elections Act*, including the delivery of duplicate advance poll certificates to the appropriate deputy returning officers: an allowance of thirty cents for each certificate properly issued up to 75; twenty-five cents for each certificate properly issued from 75 to 150; and twenty cents for each certificate properly issued from 150 upwards (with a minimum allowance of \$25). Each claim must be supported by a list of the names, addresses, and occupations of the electors to whom advance poll certificates were issued.

NOTE.—The returning officer and the election clerk are not entitled to the allowances mentioned in the foregoing Item 38.



## NUMERICAL TABLE OF FORMS AND THEIR CODE WORDS

NOTE.—This table may be found convenient by the returning officer to ascertain the distribution and locate the instructions for the use of a form of which he knows only the number. The initial letter of the code word of the form will show in which of the lists of supplies it first occurs, the initial letter A indicating the returning officers' and candidates' list of supplies, B the urban enumerators', C the rural enumerators', D the revising officers', E the deputy returning officers' (ordinary polls), and F the deputy returning officers' (advance polls).

Form No.	Description	How printed	Code word
Book A (35)	By-Election Instructions for Returning Officers.	Separately.....	Acrobat.
Book B	Poll Book (ordinary polls).....	Includes Forms 33, 34, 39, 40, 55-58, and 124.	Eassel.
Book C	Oaths and statements (advance polls).....	Includes Forms 33, 34, 39, 56-58, and 124.	Fabaceous.
Book D	Index Book (rural enumerators).....	Includes Forms 23 and 25.	Calendar.
Book I	Urban Enumerators' Manual.....	Separately.....	Baccara.
Book J	Instructions for Urban Enumerators.....	".....	Bacteria.
Book K	Instructions for Rural Enumerators.....	".....	Alca.
Book L	Instructions for Revising Officers.....	".....	Across.
Book M	Instructions for Deputy Returning Officers at Ordinary Polls.	".....	Amulet.
Book O	Instructions for the Deputy Returning Officer at an Advance Poll.	".....	Amur.
1	Writ of election.....	Includes Forms 29 and 60.	—
2	Oath of the returning officer.....	Separately.....	—
3	Appointment and oath of an election clerk.	".....	—
4	Specimen form of Proclamation.....	".....	Actus.
5	Appointment of enumerator.....	Includes Form 6.....	Acumen.
6	Oath of office of enumerator.....	With Form 5.....	Alca.
7	Urban enumerators' record book.....	Separately.....	Badger.
8	Sheet for urban preliminary geographical list.	Includes Form 9.....	Bandoline.
9	Joint oath of urban enumerators.....	With Forms 8 and 161	
10	Printer's affidavit <i>re</i> printing of lists of electors.	Separately.....	Anaconda.
11	R.O.'s affidavit <i>re</i> printing of lists of electors	".....	Anadem.
12	Appointment of a substitute revising officer	Includes Form 13.....	Alchaic.
13	Oath of a substitute revising officer.....	With Form 12.....	Alcove.
14	Specimen form of Notice of Revision.....	Separately.....	Decumbent.
15	Affidavit of Objection.....	Includes Form 16.....	Despumate.
16	Notice to person objected to.....	With Form 15.....	
17	Sworn application by agent of elector.....	Includes Form 18.....	
18	Application for registration by elector.....	With Form 17.....	
19	Urban statement of changes (geographical).	Separately.....	Anagram.
20	Certificate when enumerated name is omitted.	".....	Aspect.
21	Certificate when name registered by revising officer is omitted.	".....	Asperity.
22	Notice of rural enumeration.....	".....	Caravan.
23	Index book (rural).....	With Book D.....	
24	Sheet for rural preliminary list.....	Separately.....	Caviar.
25	Certificate of rural enumerator.....	With Book D.....	
26	Rural statement of changes and additions..	Separately.....	Chemical.
27	Nomination paper.....	Includes Form 28.....	Albeit.
28	Oath of attestation of nomination paper...	With Form 27.....	
29	Return to writ after acclamation.....	With Form 1.....	
30	Specimen form of Notice of Grant of a Poll	Separately.....	Adamant.
31	Appointment of deputy returning officer..	Includes Form 32.....	Alembic.
32	Oath of office of deputy returning officer..	With Form 31.....	
33	Appointment and oath of office of poll clerk.	With Book B or C.....	
34	Appointment of new poll clerk (by old)....	".....	
35	Sample sheet of ballot paper.....	Separately.....	Antigen.
36	Affidavit of printer <i>re</i> printing of ballot papers.	".....	Anvil.
37	Directions to electors.....	".....	Ecdysis.
39	Oath of agent of candidate.....	With Book B or C....	
40	Poll Book.....	With Book B.....	
41	Oral oath of qualification.....	Includes Forms 43, 46-50.	Echidna.
42	Affidavit of qualification.....	Separately.....	Ashore.
43	Oral oath as to error on list.....	With Form 41.....	

# NUMERICAL TABLE OF FORMS AND THEIR CODE WORDS

—Con.

Form No.	Description	How printed	Code word
44	Transfer certificate.....	Includes Form 45.....	Apostle.
45	Affidavit of agent voting on transfer certificate.	With Form 44.....	
46	Oral oath of a personated elector.....	With Form 41.....	
47	Oral oath of an incapacitated elector.....	".....	
48	Oral oath of friend of blind elector.....	".....	
49	Oral oath of an applicant rural elector.....	".....	
50	Oral oath of person vouching for an applicant rural elector.	".....	
51	Information for personation.....	Includes Form 53.....	Echoism.
52	Information for voting with knowledge of disqualification, etc.	Includes Form 54.....	Eclipse.
53	Warrant for personation.....	With Form 51.....	
54	Warrant for voting with knowledge of disqualification, etc.	With Form 52.....	
55	Appointment and oath of a constable.....	With Book B.....	
56	Oath of D.R.O. at close of poll.....	With Book B or C.....	
57	Oath of poll clerk at close of poll.....	".....	
58	Statement of the poll.....	".....	
59	Oath of messenger.....	Includes Form 87.....	Appendix.
60	Return to writ after poll.....	With Form 1.....	
61	Return of candidate's election expenses.....	Separately.....	Albino.
62	Official agent's declaration as to election expenses.	".....	Albite.
63	Candidate's declaration as to election expenses.	Includes Form 64.....	Album.
64	Candidate's declaration (alternative).....	With Form 63.....	
65	Specimen form of Notice of Holding of Advance Poll.	Separately.....	Alfalfa.
66	Advance poll certificate.....	".....	Aquilon.
67	Envelope for rejected ballot papers.....	".....	Efforce.
68	Envelope for spoiled ballot papers.....	".....	Egence.
69	Envelope addressed to C.E.O. (small).....	".....	Adiantum.
70	Envelope addressed to C.E.O. (large).....	".....	Adjourn.
71	Envelope for poll book and other papers.....	".....	Eglantine.
72	Special tag for ballot box.....	".....	Asperse.
73	Envelope for ballot papers cast for each candidate.	".....	Eidolon.
74	Tally sheet.....	".....	Eleatic.
75	Preliminary statement of poll.....	".....	Electron.
76	Envelope for ballot papers cast at advance poll.	".....	Fagotta.
77	Envelope for used certificates and unused ballot papers (advance poll).	".....	Faineant.
78	Envelope for Book C and other papers.....	".....	Faitor.
79	Envelope for spoiled ballot papers (advance poll).	".....	Falcate.
80	Tag addressed to C.E.O.....	".....	Asphalt.
81	R.O.'s letter to D.R.O. (ordinary poll).....	".....	Analyse.
82	R.O.'s letter to D.R.O. (advance poll).....	".....	Anatta.
83	Revising officer's record sheets.....	".....	Diapason.
84	Tag for ballot box to D.R.O. (ordinary poll).	".....	Anchovy.
85	Notice to postmaster.....	".....	Adjutant.
86	Tag for ballot box to D.R.O. (advance poll).	".....	Andiron.
87	Appointment of messenger.....	With Form 59.....	
88	Envelope containing stationery.....	Separately.....	Embargo.
89	Returning officer's record book.....	".....	Adonis.
90	Envelope for return from polling station...	".....	Aspirin.
91	Returning officer's report of proceedings...	".....	Assay.
92	Appointment and oath of office of D.R.O. (advance poll).	".....	Aliment.
93	Envelope to transmit Forms 15, 16.....	".....	Dobule.
94	Requisition for warrants.....	".....	Arabic.
95	Envelope to be addressed to candidate.....	".....	Emerge.
96	Envelope containing special metal seals.....	".....	Enamel.
97	Window envelope.....	".....	Adoption.
98	Memorandum of Instructions re special metal seal.	".....	Epaulet.
99	Notification card.....	".....	Banquet.
100	Appointment of a candidate's agent at a poll	".....	Albute.
101	Ordinary polling station account.....	".....	Assert.
102	Samples of marked ballot papers.....	".....	Encave.

## NUMERICAL TABLE OF FORMS AND THEIR CODE WORDS

—Conc.

Form No.	Description	How printed	Code word
103	Specimen urban preliminary geographical list.	Separately.....	Barouche.
105	Travelling expense account.....	" .....	Adult.
106	List of accounts forwarded.....	" .....	Alizarin.
107	Election account (General).....	" .....	Alkali.
108	Specimen rural preliminary list.....	" .....	Chorus.
109	Urban enumerators' account.....	" .....	Bayonet.
110	Envelope for revising officer's papers to returning officer.	" .....	Drifter.
111	Gummed paper seal (R.O.).....	" .....	Assign.
112	Urban statement of changes (alphabetical).	" .....	Angion.
113	Envelope addressed to Comptroller of the Treasury.	" .....	Allegory.
114	Envelope addressed to postmaster.....	" .....	Advent.
115	Summary of return of election expenses...	" .....	Assume.
116	Gummed paper seal (D.R.O.).....	" .....	Epicure.
117	Revising officer's account.....	" .....	Drizzle.
118	Envelope to transmit papers to R.O. (rural).	" .....	Compact.
119	Specimen book of ballot papers.....	" .....	Arabine.
120	Rural enumerator's account.....	" .....	Animus.
121	Tag for ballot box to R.O.....	" .....	Equator.
122	List of names of D.R.O.'s.....	" .....	Argala.
123	Envelope to transmit Books K and M or O	" .....	Alcade.
124	Record of objections to ballot papers....	With Book B or C...	
125	Letter to urban enumerators.....	Separately.....	Afford.
126	Cardboard envelope to transmit supplies to urban enumerators.	" .....	Agamic.
127	Envelope to transmit supplies to rural enumerator.	" .....	Agenda.
128	Letter to rural enumerator.....	" .....	Agouty.
129	Binder for enumerators' preliminary lists...	" .....	Allegro.
130	Binder for printed preliminary lists.....	" .....	Alphus.
131	Binder for statements of changes and additions.	" .....	Alvine.
132	Account for rental of revisal office.....	" .....	Amazon.
134	Envelope for official list of electors, etc. ...	" .....	Eques.
135	Receipt for nomination paper and deposit...	" .....	Airdrome.
136	Record of transfer certificates.....	" .....	Armoric.
137	Record of advance poll certificates.....	" .....	Aroma.
138	Recapitulation sheet.....	" .....	Auction.
139	Receipt for deposit of ballot boxes.....	" .....	Auriga.
140	Envelope for transmission of printed list to various electors.	" .....	Ampoule.
141	Copies of return to writ.....	" .....	Avalon.
142	List of names of enumerators.....	" .....	Airdale.
143	Specimen printed urban preliminary geographical list.	" .....	Ajar.
144	Specimen printed rural preliminary list....	" .....	Akin.
145	Form to be appended to urban preliminary list.	" .....	Amnion.
146	Form to be appended to rural preliminary list.	" .....	Ampere.
149	Returning officer's special statement of changes and additions.	" .....	Antidote.
150	Certificate of result of voting.....	" .....	Aviary.
151	Specimen page of poll book.....	" .....	Ermine.
152	Specimen folded ballot paper.....	" .....	Esquire.
153	Envelope for unused ballot papers, etc.....	" .....	Essay.
154	Envelope for polling station account, etc....	" .....	Essential.
155	Envelope for official statement of poll.....	" .....	Essex.
156	Specimen urban preliminary alphabetical list.	" .....	Bazoo.
157	Specimen printed urban preliminary alphabetical list.	" .....	Alarm.
158	Entries to be made in poll book.....	" .....	Estate.
159	Advance polling station account.....	" .....	Falter.
160	Instructions re handling of ballot papers...	" .....	Esteem.
161	Sheet for urban preliminary alphabetical list	Includes Form 9.....	Benzine.
162	Certificate for divided official lists.....	Separately.....	Antifurction.
163	Cardboard cover for posting up preliminary list.	" .....	Beeswax.



## LIST OF SUPPLIES No. ONE

Forms, etc., for use by Returning Officers and Candidates

Code word	Form No.	Description	Number forwarded	Paragraph of Instructions wherein referred
<p style="text-align: center;">PARCEL A</p> <p style="text-align: center;"><i>(Required before writ issues)</i></p>				
Acrobat...	Book A(35)	By-Election Instructions for Returning Officers.	5	Various
Across....	Book L	Instructions for Revising Officers.....	3	256
Actus.....	4	Specimen form of Proclamation.....	2	228, 229
Acumen....	5, 6	Appointment and oath of office of enumerator.	Various	231, 243, 245
Adamant..	30	Specimen form of Notice of Grant of a Poll.	2	267, 268, 278, 285
Adiantum..	69	Envelope addressed to C.E.O. (small)....	15	— —
Adjourn...	70	Envelope addressed to C.E.O. (large)....	15	282, 321
Adjutant..	85	Notice to postmaster.....	3 per P.O.	229, 285, 289
Adonis....	89	Returning officer's record book.....	3	215
Adoption..	97	Window envelope.....	Various	245, 291, 315
Adult.....	105	Travelling expense account.....	Various	217-223
Allegory...	113	Envelope addressed to Comptroller of the Treasury.	5	280
Advent....	114	Envelope addressed to postmaster.....	3 per P.O.	229, 285, 289
Afford....	125	Letter to urban enumerators.....	Various	232, 233
Agamic....	126	Cardboard envelope to transmit supplies to urban enumerators.	Various	233
Agenda....	127	Envelope to transmit supplies to rural enumerator.	Various	244
Agouty....	128	Letter to rural enumerator.....	Various	245
Airdrome..	135	Receipt for nomination paper and deposit	6	279, 280
Airdale...	142	List of names of enumerators.....	Various	231, 246
Ajar.....	143	Specimen printed urban preliminary geographical list.	10	237-239
Akin.....	144	Specimen printed rural preliminary list...	10	249
Alarm.....	157	Specimen printed urban preliminary alphabetical list.	10	237-239
Alary.....		Rubber stamp with name of E.D.....	2	208, 242
Alate.....		Ink pad.....	2	— —
<p style="text-align: center;">PARCEL B</p> <p style="text-align: center;"><i>(Required after writ issues and sufficient for distribution to four candidates)</i></p>				
Acrobat...	Book A(35)	By-Election Instructions for Returning officers.	100	207
Albeit....	27, 28	Nomination paper.....	20	207, 278, 279
Albino....	61	Return of candidate's election expenses..	12	207, 283, 323
Albite....	62	Official agent's declaration as to election expenses.	12	207, 283, 323
Album....	63, 64	Candidate's declaration as to election expenses.	12	207, 283, 323
Aibute....	100	Appointment of a candidate's agent at a poll.	8 per polling station	207
<p style="text-align: center;">PARCEL C</p> <p style="text-align: center;"><i>(Required before writ issues)</i></p>				
Alca.....	Book K	Instructions for Rural Enumerators (advance copy).	Various	224
Alcade....	123	Envelope to transmit Book K to prospective rural enumerator.	Various	224

LIST OF SUPPLIES No. ONE—*Con.*

Code word	Form No.	Description	Number forwarded	Paragraph of Instructions wherein referred
<p style="text-align: center;">PARCEL D (Required after writ issues)</p>				
Alchaic...	12, 13	Appointment and oath of a substitute revising officer.	Various	256
Alcove....	14	Specimen form of Notice of Revision (Urban).	2	257-260
Alembic...	31, 32	Appointment and oath of office of D.R.O. (Ordinary poll).	Various	274
Alfalfa....	65	Specimen form of Notice of Holding of Advance Poll.	2	289
Aliment...	92	Appointment and oath of office of D.R.O. (Advance poll).	Various	274
Alizarin...	106	List of accounts forwarded.....	Various	236, 266, 316, 322
Alkali.....	107	Election account (General).....	Various	283, 322
Allegro....	129	Binder for enumerators' preliminary lists.	2	234, 247
Alphus....	130	Binder for printed preliminary lists.....	1	241, 253
Alvine....	131	Binder for statements of changes and additions.	1	262, 265
Amazon...	132	Account for rental of revisal office.....	Various	262
Amnion....	145	Form to be appended to urban preliminary list.	Various	239
Ampere....	146	Form to be appended to rural preliminary list.	Various	251
<p style="text-align: center;">PARCEL E (Required after writ issues)</p>				
Ampoule...	140	Envelope for transmission of printed list to various electors ( <i>in urban polling divisions only</i> ).	Various	208, 240, 242
<p style="text-align: center;">PARCEL F (Required after writ issues)</p>				
Amulet...	Book M	Instructions for D.R.O.'s at Ordinary Polls (advance copy).	Various	274
Amur.....	Book O	Instructions for the D.R.O. at an Advance Poll (advance copy).	1 per advance poll	274
Alcade....	123	Envelope to transmit Book M or Book O to prospective D.R.O.	Various	274
<p style="text-align: center;">PARCEL G (Required before nomination day)</p>				
Anaconda..	10	Printer's affidavit <i>re</i> printing lists of electors.	10	241, 253
Anadem...	11	R.O.'s affidavit <i>re</i> printing lists of electors	10	241, 253
Anagram...	19	Urban statement of changes (geographical).	Various	262, 273
Analyse...	81	R.O.'s letter to D.R.O. (Ordinary poll)...	Various	291
Anatta....	82	R.O.'s letter to D.R.O. (Advance poll)...	Various	291
Anchovy...	84	Tag for ballot box to D.R.O. (Ordinary poll).	Various	269
Andiron...	86	Tag for ballot box to D.R.O. (Advance poll).	Various	269
Angion....	112	Urban statement of changes (alphabetical).	Various	262, 273
Animus...	120	Rural enumerator's account (extra supply).	Various	266
Antidote...	149	Returning officer's special statement of changes and additions.	Various	273(2)
Antifriction	162	Certificate for divided official lists.....	Various	273(5)
Antigraph.....		R.O.'s special metal seal.....	Various	291, 304, 309

## LIST OF SUPPLIES No. ONE—Conc.

Code word	Form No.	Description	Number forwarded	Paragraph of Instructions wherein referred
<p style="text-align: center;">PARCEL H</p> <p style="text-align: center;">(Required before nomination day)</p>				
Antigen....	35	Sample sheet of ballot paper.....	2	276, 277, 286
Anvil.....	36	Affidavit of printer <i>re</i> printing of ballot papers.....	4	288
Apostle....	44	Transfer certificate.....	Various	296, 297
Appendix... 59, 87		Appointment and oath of messenger.....	6	292
Aquilon....	66	Advance poll certificate.....	Various	298-300
Arabic.....	94	Requisition for warrants.....	6	312
Arabine....	119	Specimen book of ballot papers .....	2	276, 277, 286
Argala.....	122	List of names of D.R.O.'s.....	Various	294
Armoric....	136	Record of transfer certificates.....	Various	297
Aroma.....	137	Record of advance poll certificates.....	Various	299, 300
<p style="text-align: center;">PARCEL I</p> <p style="text-align: center;">(Required before nomination day)</p>				
Artisan.....		Sheets of ballot paper.....	Various	275
<p style="text-align: center;">PARCEL J</p> <p style="text-align: center;">(Required before nomination day)</p>				
Asbestos....		Stereotype blocks.....	8	276, 277
<p style="text-align: center;">PARCEL K</p> <p style="text-align: center;">(Required before nomination day)</p>				
Ashore....	42	Pads of affidavits of qualification ( <i>in urban polling divisions only</i> ).	Various	207(5), 291
<p style="text-align: center;">PARCEL L</p> <p style="text-align: center;">(Not required until after nomination day)</p>				
Aspect.....	20	Certificate when enumerated name is omitted.	Various	301(1)
Asperity...	21	Certificate when name registered by revising officer is omitted.	Various	301(2)
Asperse....	72	Special tag for ballot box.....	Various	309(1)
Asphalt....	80	Tag addressed to C.E.O.....	Various	282, 309(5), 321
Aspirin....	90	Envelope for return from polling station..	Various	307-309, 317, 318
Assay.....	91	Returning officer's report of proceedings.	3	282, 321
Assert.....	101	Ordinary polling station account (extra supply).	Various	305, 313-316
Assign.....	111	Gummed paper seal (R.O.).....	Various	307, 308(2), 318
Assume....	115	Summary of return of election expenses..	6	323
Auction....	138	Recapitulation sheet.....	Various	305, 307, 308
Auriga....	139	Receipt for deposit of ballot boxes.....	3	320
Avalon....	141	Copies of return to writ.....	2	282, 319, 321
Aviary....	150	Certificate of result of voting.....	10	309(2), 310, 319



## LIST OF SUPPLIES No. TWO

Forms, etc., for use by Urban Enumerators

*(To be distributed by the returning officer)*

Code word	Form No.	Description	Number to be distributed to each pair of enumerators
Baccara.....	Book I	Urban Enumerators' Manual.....	2
Bacteria.....	Book J	Instructions for Urban Enumerators.....	2
Badger.....	7	Urban enumerators' record book.....	Various
Bandoline....	8	Sheets for making copies of preliminary geographical list.*	Various
Banquet.....	99	Notification card.....	Various
Barouche....	103	Specimen urban preliminary geographical list*....	2
Bayonet.....	109	Urban enumerators' account.....	1
Bazoo.....	156	Specimen urban preliminary alphabetical list**....	2
Benzine.....	161	Sheets for making copies of preliminary alphabetical list.**	Various
Beeswax.....	163	Cardboard cover for posting up preliminary list....	1
Besner.....	—	Urban enumerator's badge.....	2

\* This form will not be furnished to enumerators whose preliminary list has to be prepared in alphabetical order.

\*\* This form will not be furnished to enumerators whose preliminary list has to be prepared in geographical order.

**LIST OF SUPPLIES No. THREE****Forms, etc., for use by Rural Enumerators***(To be distributed by the returning officer)*

Code word	Form No.	Description	Number to be distributed to each enumerator
Calendar ....	Book D	Index Book.....	1
Alca.....	Book K	Instructions for Rural Enumerators.....	1
Caravan.....	22	Notice of Rural Enumeration.....	8
Caviar.....	24	Sheets for making copies of rural preliminary list.	Various
Chemical....	26	Rural statement of changes and additions.....	8
Chorus.....	108	Specimen rural preliminary list.....	1
Compact.....	118	Envelope to transmit papers to returning officer.	2
Animus.....	120	Rural enumerator's account.....	1
Beeswax.....	163	Cardboard cover for posting up preliminary list..	1

**LIST OF SUPPLIES No. FOUR**  
**Forms, etc., for use by Revising Officers**  
*(To be distributed by the returning officer)*

Code word	Form No.	Description	Number to be distributed to each revising officer
Across.....	Book L	Instructions for Revising Officers.....	5
Decumbent..	15, 16	Affidavit of Objection and Notice to Person Objected to.*	10 per polling division
Despumate..	17, 18	Sworn Application by Agent on behalf of Elector*..	40 per polling division
Anagram....	19	Statement of changes and additions (geographical) †..	30 per polling division
Diapason....	83	Revising officer's record sheet.....	10
Dobule.....	93	Envelope to transmit Forms 15, 16 to person objected to.	5 per polling division
Drifter.....	110	Envelope to transmit papers to returning officer....	6
Angion.....	112	Statement of changes and additions (alphabetical) ††.	30 per polling division
Drizzle.....	117	Revising officer's account.....	2

**The returning officer will add:**

—	14	Twenty copies of Notice of Revision.....	—
—	—	Three copies of the printed preliminary list for every polling division comprised in the revisal district.	—
—	—	One complete set of the printed preliminary lists for the urban polling divisions comprised in any other revisal district established in the electoral district.	—

\* As stated in paragraph 260 of these Instructions, copies of this form are also distributed by the returning officer to interested persons.

† This form will not be furnished to the revising officer when the preliminary lists are prepared in alphabetical order.

†† This form will not be furnished to the revising officer when the preliminary lists are prepared in geographical order.



## LIST OF SUPPLIES No. FIVE

Forms, etc., for use by the Deputy Returning Officer  
at an ordinary poll

*Note.—The following forms and supplies (sufficient when four candidates are running) are enclosed in a large envelope sent to the returning officer for distribution to the deputy returning officer for each ordinary poll.*

Code word	Form No.	Description	Number included in large envelope
Eassel.....	Book B	Poll Book.....	1
Amulet.....	Book M	Instructions for Deputy Returning Officers at Ordinary Polls.	1
Ecdysis.....	37	Directions to electors.....	10
Echidna.....	41, 43, 46-50	Card of oral oaths.....	1
Echoism.....	51, 53	Information for personation.....	2
Eclipse.....	52, 54	Information for voting with knowledge of disqualification, etc.	2
Efforce.....	67	Envelope for rejected ballot papers.....	1
Egence.....	68	Envelope for spoiled ballot papers.....	1
Eglantine....	71	Envelope for poll book, etc.....	1
Eidolon.....	73	Envelope for ballot papers cast for each candidate..	4
Eleatic.....	74	Tally sheet.....	5
Electron.....	75	Preliminary statement of poll.....	1
Embargo....	88	Envelope containing stationery and ten gummed paper seals (Form 116).	1
Emerge.....	95	Envelope to be addressed to candidate.....	4
Enamel.....	96	Envelope containing five special metal seals and Memorandum of Instructions (Form 98).	1
Assert.....	101	Polling station account.....	1
Encave.....	102	Samples of marked ballot papers.....	1
Equator.....	121	Tag for sending ballot box to R.O.....	1
Eques.....	134	Envelope for official list of electors, etc.....	1
Ermine.....	151	Specimen page of poll book.....	1
Esquire.....	152	Specimen folded ballot paper.....	1
Essay.....	153	Envelope for unused ballot papers, etc.....	1
Essential....	154	Envelope for account, etc.....	1
Essex.....	155	Envelope for official statement of poll.....	1
Estate.....	158	Entries to be made in poll book.....	1
Esteem.....	160	Instructions <i>re</i> handling of ballot papers.....	1

**The returning officer will add in the ballot box:**

—	—	Notice of Grant of a Poll.....	One copy
—	—	Ballot papers.....	Number required
—	—	Official list of electors.....	One copy
Ashore.....	42	Affidavit of qualification ( <i>in urban polling divisions only</i> )	One pad of 20 affidavits
Eidolon.....	73	Envelope for ballot papers cast for each candidate..	One for each candidate over four
Emerge.....	95	Envelope to be addressed to candidate.....	"

## LIST OF SUPPLIES No. SIX

Forms, etc., for use by the Deputy Returning Officer  
at an advance poll

*Note.—The following forms and supplies (sufficient when four candidates are running) are enclosed in a large envelope sent to the returning officer for distribution to the deputy returning officer for each advance poll.*

Code word	Form No.	Description	Number included in large envelope
Fabaceous...	Book C	Oaths, statements, etc.....	1
Amur.....	Book O	Instructions for the Deputy Returning Officer at an Advance Poll.	2
Ecdysis.....	37	Directions to electors.....	20
Echidna.....	41, 47	Card of oral oaths.....	1
Echoism.....	51, 53	Information for personation.....	2
Eclipse.....	52, 54	Information for voting with knowledge of disqualification, etc.	2
Efforce.....	67	Envelope for rejected ballot papers.....	1
Eidolon.....	73	Envelope for ballot papers cast for each candidate..	4
Eleatic.....	74	Tally sheet.....	5
Electron.....	75	Preliminary statement of poll.....	1
Fagotta.....	76	Envelope for ballot papers cast on 1st, 2nd, and 3rd days of voting.	3
Faineant.....	77	Envelope for used certificates, etc.....	3
Faitor.....	78	Envelope for Book C, etc.....	1
Falcate.....	79	Envelope for spoiled ballot papers.....	3
Embargo....	88	Envelope containing stationery and twenty gummed paper seals (Form 116).	1
Emerge.....	95	Envelope to be addressed to candidate.....	4
Enamel.....	96	Envelope containing twelve special metal seals and Memorandum of Instructions (Form 98).	1
Encave.....	102	Samples of marked ballot papers.....	1
Equator.....	121	Tag for sending ballot box to R.O.....	1
Esquire.....	152	Specimen folded ballot paper.....	1
Essential....	154	Envelope for account, etc.....	1
Essex.....	155	Envelope for official statement of poll.....	1
Falter.....	159	Advance polling station account.....	1
Esteem.....	160	Instructions <i>re</i> handling of ballot papers.....	1

## The returning officer will add in the ballot box:

Ashore.....	42	Affidavit of qualification ( <i>in urban polling divisions only</i> ).	One pad of 20 affidavits
—	—	Notice of Holding of Advance Poll.....	Ten copies
—	—	Ballot papers.....	Number required
Eidolon.....	73	Envelope for ballot papers cast for each candidate	One for each candidate over four
Emerge.....	95	Envelope to be addressed to candidate.....	"

## DIARY OF DUTIES OF RETURNING OFFICERS

Check	Duties	Para-graph	Check	Duties	Para-graph
<b>I. ON RECEIPT OF SUPPLIES</b>			<b>II. BETWEEN ISSUE OF WRIT AND NOMINATION DAY—Con.</b>		
	1. Check and stamp supplies...	208		<i>Preliminary duties—Conc.</i>	
	2. Commence preparation of R.O.'s record book.	215		8. Distribute copies of Proclamation to postmasters and candidates.	229
	3. Gather enumerators' supplies into sets.	233(1), 244(1)		9. Send one copy of Proclamation to C.E.O.	229
	4. Select rural enumerators....	224		10. Send request for advance to Chief Examiner of Election Accounts, if required.	211
	5. Select rural D.R.O.'s.....	224(6), 274			
	6. Select rural polling stations.	224(6)		<i>Urban and rural enumeration</i>	
	7. Send copy Book K to prospective rural enumerators.	224(4)		1. Appoint urban enumerators.	231
	8. Notify former candidates as to nominating urban enumerators.	225(1)		2. Instruct urban enumerators.	232
	9. Communicate with prospective urban enumerators.	225(4)		3. Attach description of boundaries of polling division to letter (Form 125).	232(2)
	10. Prepare list of names of urban and rural enumerators.	231, 246		4. Distribute supplies to urban enumerators.	233
	11. Make necessary entries in R.O.'s record book.	215		5. Replace urban enumerators, where necessary.	235
	12. Send copy of Book M or Book O to prospective D.R.O.'s.	274(3)		6. Appoint rural enumerators..	243, 245
<b>II. BETWEEN ISSUE OF WRIT AND NOMINATION DAY</b>				7. Instruct rural enumerators..	245
	<i>Preliminary duties</i>			8. Attach description of boundaries of rural polling division to the letter (Form 128).	245(2)
	1. Immediately on receipt of telegraphic notification from Chief Electoral Officer that writ is issued, send him telegram acknowledging receipt of same.	226		9. Distribute supplies to rural enumerators.	244, 245(1)
	2. Appoint election clerk, if necessary, and send his appointment and oath to C.E.O.	203(3)		10. Replace rural enumerators, where necessary.	248
	3. Select place for nomination of candidates.	228(2)		11. Select urban polling stations.	230
	4. Fix time and place for official addition of votes.	228(3)		12. Complete preparation of list of names of enumerators.	231, 246
	5. Fill in and print Proclamation.	228		13. Send copy to Chief Examiner of Election Accounts.	231, 246
	6. Open returning officer's office	227		14. Post up copy in R.O.'s office..	231, 246
	7. Endorse on writ date of its receipt.	226		<i>Dealings with candidates</i>	
				1. Deliver forms of nomination paper and copies of By-Election Instructions to prospective candidates.	207(3)
				2. Receive official nomination papers and deposits from candidates.	279



## DIARY OF DUTIES OF RETURNING OFFICERS—Con.

Check	Duties	Para- graph	Check	Duties	Para- graph
<b>II. BETWEEN ISSUE OF WRIT AND NOMINATION DAY—Con.</b>			<b>II. BETWEEN ISSUE OF WRIT AND NOMINATION DAY—Con.</b>		
	<i>Dealings with candidates—Conc.</i>			<i>Mailing lists to various electors in urban polling divisions only</i>	
3.	Issue receipts therefor.....	279 (e), 280	1.	Prepare envelopes (Form 140) for various electors in every urban polling division.	240(2,3), 242(3)
4.	Send deposits to Comptroller of the Treasury.	280	2.	Stamp name of electoral district on each envelope.	242(3)
	<i>Urban preliminary lists and accounts</i>		3.	Place printed copy of appropriate preliminary list therein.	242(3)
1.	Receive urban preliminary lists.	234(1)	4.	Check carefully.....	242
2.	File one set in binder.....	234(1)	5.	Mail such envelopes to various electors.	242
3.	Receive urban enumerators' accounts.	234(2)		<i>Receiving rural preliminary lists</i>	
4.	Check these carefully.....	236(1,2)	1.	Receive preliminary lists from rural enumerators.	247
5.	Send accounts to Chief Examiner of Election Accounts.	236(1,3)	2.	Check lists carefully.....	247
6.	Send one complete set of printed preliminary lists to Chief Examiner of Election Accounts.	236(5)	3.	File one set in binder.....	247
7.	Receive urban enumerators' badges.	234(2)		<i>Printing of rural preliminary lists</i>	
8.	Check and parcel these carefully.	234(2)	1.	Complete arrangements for printing rural lists.	249, 250
	<i>Printing of urban preliminary lists</i>		2.	Prepare rural lists for printing.	251
1.	Complete arrangements for printing urban lists.	237, 238	3.	Deliver rural lists to printer..	249(1), 251(1)
2.	Prepare urban lists for printing.	239	4.	Order number of copies of rural lists required.	252
3.	Deliver urban lists to printer.	237 (1, 3), 239(1)	5.	Distribute printed copies of rural lists to candidates.	253(1)
4.	Order number of copies of urban lists required for each polling division.	240	6.	Send 30 copies to C.E.O.....	253(2)
5.	Distribute printed copies of urban lists to candidates.	241(1)	7.	File one set in binder.....	253(2)
6.	File one copy in binder.....	241(1)	8.	Receive accounts for printing rural lists.	253(3)
7.	Send 30 copies to C.E.O.....	241(1)	9.	Certify and send these accounts to Chief Examiner of Election Accounts.	253(3)
8.	Receive accounts for printing urban lists.	241(2)	10.	Send affidavits in Forms 10 and 11 to Chief Examiner of Election Accounts.	253(3)
9.	Certify and send these accounts to Chief Examiner of Election Accounts.	241(2)		<i>Revision of rural preliminary lists</i>	
10.	Send affidavits in Forms 10 and 11 to Chief Examiner of Election Accounts.	241(2)	1.	Oversee revision of rural lists.	264

## DIARY OF DUTIES OF RETURNING OFFICERS—Con.

Check	Duties	Para-graph	Check	Duties	Para-graph
<b>II. BETWEEN ISSUE OF WRIT AND NOMINATION DAY—Conc.</b>			<b>III. BETWEEN ISSUE OF WRIT AND POLLING DAY—Conc.</b>		
	<i>Revision of rural preliminary lists—Conc.</i>			<i>Revision of urban preliminary lists—Conc.</i>	
	2. Receive index book from each rural enumerator.	265		12. Distribute Forms 17, 18, as required.	260(1)
	3. Receive statements of changes and additions from rural enumerators.	265		13. Receive statements of changes and additions from revising officers.	262
	4. File one set of these in binder	265		14. File one set of these in binder	262
	5. Deliver one set to each candidate.	265		15. Keep one set available for delivery to D.R.O.'s.	262
	6. Keep one set available for delivery to D.R.O.'s.	265		16. Receive other papers from revising officers.	262
	7. Receive account from each rural enumerator.	265, 266		17. Receive accounts for rental of revisal offices.	262
	8. Check each account carefully	266		18. Certify and send these accounts to Chief Examiner of Election Accounts.	262
	9. Send these accounts to Chief Examiner of Election Accounts.	266(1,3)		<i>Notice of Grant of a Poll</i>	
	10. Send complete set of printed rural lists to Chief Examiner of Election Accounts.	266(5)		1. Make arrangements for setting up Notice in type.	267
<b>III. BETWEEN ISSUE OF WRIT AND POLLING DAY</b>				2. Order number of copies required.	268(2)
	<i>Revision of urban preliminary lists</i>			<i>Arrangements for poll</i>	
	1. Establish revisal districts....	254		1. Secure ballot boxes.....	269
	2. Establish revisal offices.....	255		2. Complete selection of polling stations.	270-272
	3. Communicate with <i>ex officio</i> Revising Officer.	256		3. Appoint D.R.O.'s.....	274
	4. Send him Book A (35), Book L, and forms of appointment and oath of a substitute.	256		4. Make arrangements for printing of ballot papers.	275-277
	5. Receive completed appointments and oaths of substitutes.	256	<b>IV. NOMINATION DAY</b>		
	6. Print Notice of Revision.....	257(2)		1. Attend at place fixed for nomination.	281
	7. Post up Notice, as required...	259		2. Receive official nomination papers and deposits.	279, 281
	8. Distribute Notice, as required	259		3. Issue receipts therefor.....	279 (e), 280
	9. Send 3 printed copies of preliminary lists and supplies to revising officers.	260(1)		4. Supply Forms 61-64 and 100 to candidates.	207 (3c)
	10. Take steps for correction of errors in printed lists pointed out by revising officers.	260(2)	<b>IV. (a) IN CASE OF ACCLAMATION</b>		
	11. Distribute Forms 15, 16, as required.	260(1)		1. Send elected candidate's deposit to Comptroller of the Treasury.	280, 282

## DIARY OF DUTIES OF RETURNING OFFICERS—Con.

Check	Duties	Para-graph	Check	Duties	Para-graph
<b>IV. (a) IN CASE OF ACCLAMATION—Conc.</b>			<b>IV. (b) IF A POLL IS REQUIRED—Conc.</b>		
	2. Endorse return of elected candidate on writ.	282		19. Receive from official agents lists of names of persons employed for pay or reward.	204(6)
	3. Send writ and all papers to C.E.O.	282		20. Complete list of D.R.O.'s and polling stations.	294
	4. Deal with accounts and returns of candidates' election expenses.	283		21. Obtain ballot papers and printer's affidavit.	288
<b>IV. (b) IF A POLL IS REQUIRED</b>				22. Distribute ballot boxes and supplies.	291
	1. Deliver list of names of candidates to each of them.	284		23. Issue and deliver as required transfer and advance poll certificates.	296–300, 302
	2. Send copy of such list to C.E.O.	284		24. Issue and deliver certificates in cases of omissions of names from urban list.	301, 302
	3. Send copy of list and deposits to Comptroller of the Treasury.	284		25. Appoint substitute D.R.O.'s, where necessary.	293
	4. Complete and print Notice of Grant of a Poll.	285		26. Requisition number of Election Fees Warrants required.	312
	5. Distribute copies of Notice of Grant of a Poll to postmasters.	285		27. Communicate to D. R. O.'s, names of persons employed by candidates for pay or reward.	204(6)
	6. Send 10 copies to C.E.O. ....	285	<b>V. ON THIRD DAY BEFORE POLLING DAY</b>		
	7. Send 10 copies to each candidate.	285		1. Supply list of D.R.O.'s to each candidate and to Chief Examiner of Election Accounts.	294
	8. Ascertain number of ballot papers required.	287		2. Post up list of D.R.O.'s in R.O.'s office.	294
	9. Print ballot papers. ....	286–288	<b>VI. DURING POLLING</b>		
	10. Print Notice of Holding of Advance Poll, where necessary.	289(1,2)		1. See that vote is being properly taken.	303
	11. Distribute copies of Notice of Holding of Advance Poll to postmasters.	289(4,5)	<b>VII. AFTER THE POLL</b>		
	12. Send 5 copies to each candidate.	289(4,5)		1. Receive, check, and store ballot boxes.	304
	13. Send 2 copies to C.E.O. ....	289(4,5)		2. Receive envelopes containing preliminary statements of poll and polling station accounts.	305
	14. Arrange for polling stations not already selected.	290		3. Open these immediately. ....	305
	15. Split up large lists, where necessary.	273		4. Examine and classify polling station accounts.	305
	16. Append certificate to each portion.	273(5)			
	17. Establish extra polling stations, where required.	267(4), 273			
	18. Prepare special statements of changes and additions, where required.	273(2–4)			



## DIARY OF DUTIES OF RETURNING OFFICERS—Conc.

Check	Duties	Para-graph	Check	Duties	Para-graph
<b>VII. AFTER THE POLL—Conc.</b>			<b>IX. AFTER OFFICIAL ADDITION OF VOTES—Conc.</b>		
	5. Prepare preliminary compilation of votes polled.	305		2. Prepare and send election fees warrants.	311-316
	6. Prepare draft recapitulation sheets for official addition.	305, 307		3. Send stubs and polling station accounts to Chief Examiner of Election Accounts.	316
<b>VIII. ON DAY FIXED FOR OFFICIAL ADDITION OF VOTES</b>			<b>X. IF RECOUNT IS HELD</b>		
	1. Attend with recapitulation sheets at place and hour fixed.	307		1. Prepare fresh draft recapitulation sheets.	317
	2. Open the ballot boxes and lay aside the special metal seals found therein.	307		2. Attend at recount proceedings.	317, 318
	3. Complete unendorsed envelopes.	307		3. Deliver and receive election papers.	317-319
	4. Record condition of each on recapitulation sheets.	307		4. Receive certificate of judge...	319
	5. Complete and seal envelope Form 90, where necessary.	307, 308(2)		5. Obtain certificate of attendance of R.O. and election clerk from the judge.	319
	6. Place large envelopes in ballot boxes.	309(1)	<b>XI. ON SEVENTH DAY AFTER OFFICIAL ADDITION OF VOTES (OR IF A RECOUNT IS HELD THEN IMMEDIATELY THEREAFTER)</b>		
	7. Complete and attach tags (Form 72) to such ballot boxes.	309(1)		1. Endorse return of elected candidate on writ.	319, 321
	8. Examine statements of poll...	308		2. Furnish copies of return to writ to candidates.	319, 321
	9. Seal ballot boxes containing large envelopes.	309(2)		3. Dispatch papers and unused supplies to C.E.O.	321
	10. Prepare statement of serial numbers of special metal seals on Certificate of result of voting (Form 150).	309(2)		4. Store empty ballot boxes....	320
	11. Safely store ballot boxes containing large envelopes.	309(3)		5. Secure receipt therefor from custodian.	320
	12. Complete recapitulation sheets.	308(1)		6. Complete and forward all accounts to Chief Examiner of Election Accounts.	322
	13. Complete necessary number of copies of Certificate of result of voting (Form 150).	310	<b>XII. CANDIDATE'S EXPENSES</b>		
	14. Furnish copies of such certificate to candidates and to C.E.O.	310		1. Receive return of candidate's expenses and declaration from official agent.	323
<b>IX. AFTER OFFICIAL ADDITION OF VOTES</b>				2. Receive a declaration from the candidate.	323
	1. Check and certify polling station accounts.	313, 314		3. Publish summary of return...	323
				4. Six months later, send back or destroy papers.	323

## PART II

### RIGHTS AND OBLIGATIONS OF CANDIDATES AND THEIR OFFICIAL AGENTS

#### 1. INTRODUCTORY

**350. Scope of this Part.**—This part has been prepared for the purpose of enabling candidates and their agents to obtain an idea of their rights and obligations more easily than is possible by an examination of the *Canada Elections Act*. The following observations are in no sense authoritative, and it is necessary to say that in any case of doubt the provisions of the Statute should be consulted. The intention is that what follows may serve as a guide to candidates, to their official agents, and to other persons who might through lack of knowledge of the electoral law involve themselves in difficulties, and perhaps cause the loss of the seat of the successful candidate whom they have supported. The Diary appended to this Part is designed for the use of candidates and their official agents, who may perhaps find it a convenience. Use of this Part.  
Diary.

#### 2. NOMINATING URBAN ENUMERATORS

**351. Nominating Urban Enumerators.**—One of the first privileges to be exercised at a by-election by certain candidates is the nominating of urban enumerators. Immediately after the issue of the writ ordering a by-election, the returning officer will appoint two enumerators to prepare the preliminary list for each urban polling division comprised in the electoral district. Generally, the first of these enumerators will be nominated by the candidate who, at the last federal election in the electoral district, obtained the highest number of votes, and the second enumerator will be nominated by the candidate, representing at that election a different political interest, who obtained the next highest number of votes. Whenever any such candidate is not available, the nominating of enumerators may be made by a representative. When deemed expedient, the candidates entitled to nominate enumerators will be requested by the returning officer to submit a list of the names of the proposed appointees, in order that the official appointment of urban enumerators may be made immediately after a by-election is ordered. It is most important that each urban enumerator be selected with the greatest possible care. It cannot be stressed too strongly that the enumeration of electors should be entrusted only to efficient and conscientious persons. It is imperative that this should be borne in mind by the candidate when preparing his list of proposed appointees. The directions to the returning officer on the subject of the nominating and appointing of urban enumerators are set out in paragraphs 225 and 231 of these Instructions. This paragraph is not applicable to rural polling divisions. Urban enumerators, how nominated.  
Sec. 17, Sch. A, Rules 3-5.

## 3. OFFICIAL AGENTS AND ELECTION CAMPAIGN FINANCE

Candidates and  
their official  
agents.

Sec. 2 (3).

Sec. 62 (1).

Sec. 21 (5).

Sec. 62 (1).

Sec. 62 (4, 5).

Sec. 62 (3).

Official  
agent's duty.

Sec. 62 (4).

**352. Candidates and their Official Agents.**—Official nomination is by no means necessary to constitute a person a candidate at a by-election. According to the statutory definition every one becomes a "candidate" who is declared by himself, or by others with his consent, to be a candidate at a time when there is a vacancy in the electoral district in question. Every candidate in this broad sense must have an official agent, who should be appointed by the candidate, but may be appointed by someone else on his behalf if the candidate is absent from the electoral district. It is not obligatory for the official agent to be a qualified elector at the by-election, but such agent should always be a Canadian citizen or other British subject of at least 21 years of age. Written notice of the appointment of an official agent may be given to the returning officer by or on behalf of the candidate at any time, but the Statute prescribes that it must be given in the space provided for that purpose in the nomination paper, and it is the duty of the returning officer to publish the name of the official agent in the Notice of Grant of a Poll, which is printed immediately after nomination day. For the protection of the candidate, the earlier the notice of the appointment of the official agent is given, the better; it need not be given until nomination day, but if the giving of it is delayed until some time after the candidate has entered the field, his friends should be informed of the person selected in order that they may not jeopardize the candidate's election or expose themselves to penalties by individually paying expenses which should have been met by the official agent. A candidate is almost as fully responsible for the acts of his official agent as he is for his own, and since the official agent can do almost anything that the candidate himself can do in relation to the election campaign, as well as many things the candidate cannot do, he should be a person upon whose capacity, judgment, and probity the candidate can rely with complete confidence. If the official agent selected is a person who can be depended upon to familiarize himself with the electoral law and keep full and accurate accounts, the details of the financial organization of the election campaign may safely be left to him; the general principles upon which he should act are quite simple and their application requires only care and intelligence, but an official agent who is not thoroughly competent and entirely trustworthy may expose a successful candidate to the loss of his seat in spite of every effort on the part of such candidate to ensure the proper conduct of his election campaign. As in the case of other electors, official agents are entitled to vote at a by-election. No returning officer, or deputy returning officer, or election clerk, or the partner or clerk of either of them, may be appointed as the official agent of any candidate.

**353. Duties of Official Agents.**—The principal function of an official agent is to act as the candidate's campaign treasurer. With certain exceptions referred to hereunder, every dollar expended by or on behalf of a candidate for the purpose or in discharge of a liability incurred in the conduct or management of the election campaign, must pass through his official agent's hands, and it is immaterial whether the payment has been made



or the liability incurred while a vacancy exists in the representation of the electoral district or after it has been filled. It is an offence for any one except the official agent to pay any election campaign expense or discharge an election campaign liability not within an excepted class, and practically every contribution to any campaign fund must consequently be made direct to the official agent; it is inadvisable and may possibly be dangerous for a candidate himself to receive any contribution, even if he hands it at once to his official agent. After the by-election, every candidate and every official agent must make a declaration attesting an itemized statement of receipts and expenditures made by him or on his behalf in relation to the conduct or management of the election campaign, and the omission from this statement of any receipt or expenditure of which the declarant has knowledge may result in the setting aside of the candidate's election, if he has been successful, and will in any event expose the declarant to a prosecution for perjury. The utmost care should consequently be exercised to ensure that every contribution to a candidate's election campaign fund is made to his official agent, and that the official agent makes every campaign disbursement, unless the contribution or expenditure falls within one or other of three exceptions defined hereunder. The first exception includes all disbursements made by any one for stationery, postage, telegrams, and other petty expenses under a previous written authority from the official agent which specifies the total amount beyond which the expenditure is not to extend. The second exception includes any disbursement made by any one out of his own money for any small expense legally incurred of which no part is repaid to him; for the payment of such last mentioned small expenses no previous authority is necessary, but it is only when such a previous authority has been given that an expenditure made by any one other than the official agent may be reimbursed to the person by whom it has been made. The third exception includes the disbursements made by the candidate himself out of his own money for his personal expenses up to a total of \$2,000. No candidate is permitted to pay out any item of expenditure not properly a personal expense and may not disburse, even for his personal expenses, any money contributed by any one else, or even his own money in excess of \$2,000, although he may furnish his official agent with as much money as he likes for the purpose of meeting campaign expenses generally or his own personal expenses in excess of the sum named.

**354. Campaign Contributions.**—There is no prohibition against the receipt of campaign contributions from any source. Consequently, the source of campaign contributions is not material, and all contributions, no matter what their source, may be treated in the same way.

**355. Permissible and Forbidden Expenditures.**—Payment by any one directly or indirectly for the conveyance of electors to the poll is expressly forbidden. No payment may, of course, be made either directly to induce any one to vote or abstain from voting, or to cause others to do so, or indirectly for this purpose either by the supply of anything, even food and drink, or in any other way; any payment intended as an inducement is corrupt, no matter what its ostensible object. But there is no

limitation upon the amount which a candidate may lawfully disburse in good faith, or any restriction, except as above noted, upon the objects of such expenditure. It must, however, be remembered that any person who is employed for pay or reward in any capacity on behalf of a candidate in reference to a by-election, is thereby disqualified from voting, unless such person comes under the exceptions prescribed in subsections (2) and (3) of section 15 of the Act.

Election  
accounting.

Sec. 62 (16).

Sec. 63 (1).

Sec. 62 (7).

Sec. 63 (2).

Sec. 62 (18).

**356. Accounting and Precautionary Measures.**—The candidate should himself keep careful track of the personal expenses he incurs, since he must after the by-election certify in writing their amount to his official agent in order that the latter may include it in his return of election expenses. The official agent must carefully record the subscriptions received and disbursements made so that he can, after the by-election, render an accurate account showing the source and application of the funds collected and disbursed for the purpose of the campaign; to this he must be prepared to attach itemized vouchers from the persons to whom he has paid any sum of \$10 or more, or to whom he has refunded any petty expenditure, no matter what its amount, made pursuant to a written authority given by him before the petty expenditure was incurred. It is also advisable for the candidate and his official agent to take such action as seems possible to prevent indiscretions on the part of the candidate's supporters, since the voidance of the election of the candidate, which might otherwise follow from a corrupt practice committed by a person (other than the official agent), may be escaped by proof that the said candidate and his official agent have taken all reasonable means to prevent such practices.

Appointment  
of official  
agent.

Sec. 62 (1).

**357. Notification of Appointment of Official Agent.**—A written notice must, at the latest on nomination day, be given to the returning officer of the name, address, and occupation of the official agent, and the returning officer is required to publish the name, address, and occupation of every official agent in the Notice of Grant of a Poll (Form 30). It is not essential that the returning officer should be notified before nomination day, but if the official nomination of the candidate is actually made in advance of that day, the appointment of the official agent should be made at the same time in the space provided for that purpose on the nomination paper (Forms 27, 28).

Changing  
official agent.

Sec. 62 (2).

Sec. 63 (13).

**358. Incapacity to Act of Official Agent.**—If, after the name, address, and occupation of the official agent have been declared to the returning officer, the person designated becomes unable or refuses to act, another appointment should at once be made and a fresh declaration of the name, address, and occupation of the new official agent must be given to the returning officer. Whenever an official agent is substituted for another, as complete a return as possible should be obtained from the first appointee of the sums received and expended by him during the time he acted. If such official agent refuses to furnish such a return, an application may be made to the appropriate judge to compel him to do so.

## 4. AGENTS OTHER THAN THE OFFICIAL AGENT

**359. The Importance of "Agency" at Elections.**—It is not only in relation to the financing of an election campaign that a candidate requires protection from excess of zeal on the part of his friends. The electoral law creates a large number of offences for which not only are penalties provided by way of fine, imprisonment, and disqualification, but the commission of which by a candidate, by an official agent, or by certain other persons may result in the setting aside of the election of the candidate. Almost any election offence committed by or with the knowledge and consent of a successful candidate or his official agent will have this consequence, and it will also usually follow if the offence has been committed by any one else who may properly be described as an agent of the candidate according to the definition of the word "agent" which is deducible from a long series of election cases. "Agency" at elections.

**360. Who becomes a Candidate's "Agent".**—The definition of an agent is difficult to state at the same time briefly and comprehensively. Speaking very generally, it may be said that every person is an agent of the candidate who is authorized (by him, by his official agent, or by another person or body of persons upon whom he obviously or openly relies) to engage actively in the campaign to secure his election. Where the alleged agent's employment has been very definitely limited to a specified kind of activity or to a special area, the election of the candidate will not be voided by such an agent's acts of a different kind or done in some other area, but apart from such a special limitation on the authority of an agent, the election may be set aside by reason of conduct on an agent's part of which both the candidate and his official agent were wholly unaware, and which, if either of them had had an opportunity, he would undoubtedly have prevented. There are certain offences which, to have the effect of voiding an election, the successful candidate must be proved to have known of and consented to, and there are other offences the consequences of which he can escape by proof that they were trivial, that they were committed contrary to the order and without the sanction or connivance of either himself or his official agent, and that both he and his official agent took all reasonable means to prevent the commission of election offences generally. It is obviously unnecessary here to deal separately with the offences which fall into one category or another. For the present purpose it suffices to say that candidates and their official agents should ensure that their friends are careful not to appear to give authority for the activities of persons upon whose discretion and probity they cannot confidently rely. Who is an "agent".  
Sec. 83.  
Sec. 62 (13).

## 5. RELATIONS WITH ELECTION OFFICERS

**361. Relations with Election Officers.**—The first and the most important election officer with whom a candidate will come into contact is the returning officer, who is in charge of the conduct of the by-election. If any difficulty arises between him and the candidate, the latter may appeal by letter or telegram to the Chief Electoral Officer who will give such directions as the circumstances require. Difficulties with enumerators or de- Appeals to  
Chief Elec-  
toral Officer.  
Sec. 5.



puty returning officers should in the first instance be made the subject of complaint to the returning officer, but if satisfaction is not thus obtained, or if the matter is very urgent, a direct appeal to the Chief Electoral Officer may be made. Substitute revising officers act in a judicial capacity, and the general control over election officers exercisable by the Chief Electoral Officer does not extend to the performance of their duties, although they are at liberty to ask his advice if they so desire.

## 6. OBTAINING BLANK FORMS, ETC.

Obtaining  
forms.

**362. Obtaining Copies of Instructions and Forms.**—Upon a candidate's publicly declaring himself as such after the issue of the writ ordering a by-election, he may obtain gratis from the returning officer twenty-five copies of the By-Election Instructions (Book A 35), and he should also at the same time get from the returning officer five copies of the nomination paper (Forms 27, 28). The form of nomination paper distributed by the returning officer is so prepared as to make it easy to complete properly and correctly. After a candidate has been officially nominated, he will be supplied by the returning officer with forms for appointment of a candidate's agent at a poll (Form 100). The number of these forms supplied will be sufficient for the appointment of two such agents in every polling station in the electoral district. The candidate will then also be furnished with three copies of the forms for return of election expenses and relevant declarations (Forms 61-64), which he and his official agent will be required to complete after the by-election is over. The form of return of election expenses (Form 61) will indicate to the official agent the particulars of receipts and expenditures he will be required to give and consequently the manner in which his accounts should be prepared. The distribution of forms, etc., to the candidate by the returning officer is more fully dealt with in paragraph 207 (3) of these Instructions.

## 7. NOMINATION OF CANDIDATES

Nomination.  
Sec. 21 (5).

Sec. 21  
(5, 8-10).

Sec. 21 (8).

Sec. 21 (10) (b).

Sec. 22.

**363. Nomination of Candidates.**—The nomination paper may be completed and handed to the returning officer at any time or place after the Proclamation (Form 4) has been published. When this is done, the witness or witnesses to the signatures of the nominators should attend in order that they may swear the necessary oaths. No one but the returning officer has power to administer these oaths, and it is his duty to administer them on request. With the nomination paper there must be handed to the returning officer \$200 in legal tender or in the bills of a chartered bank, or a cheque for the said amount accepted by a chartered bank and payable to the Receiver General of Canada. A candidate may withdraw at any time after his official nomination, but not later than 48 hours before the opening of the polls on polling day, by filing with the returning officer a written declaration to that effect, signed by himself, and attested by the signatures of two electors qualified to vote at the by-election. Any candidate so withdrawing will forfeit his deposit.

**364. Particulars of Candidate on Nomination Paper.**—Description of candidate.  
 Care should be exercised to see that the candidate's name, address, and occupation are correctly stated in the heading of the nomination paper. Candidates and their official agents are requested to read carefully the directions to the returning officer on the procedure to be followed at nomination, which are set out in paragraph 279 of these Instructions. On the ballot papers, subject to section 28 (3) of the Act, the candidate's surname, Christian names, address, and occupation will be printed exactly as they appear in the heading of the nomination paper, and the return of the successful candidate will follow the same form. It is consequently of importance that in the nomination paper all the particulars of the candidate should be correctly set out. In printing the ballot papers, the names of the candidates will be arranged alphabetically in the order of their respective surnames. Unless specially authorized by the Chief Electoral Officer, the occupation given by a candidate in the heading of his nomination paper must be briefly stated and must correspond to the occupation under which such candidate is known in the place of his ordinary residence. Sec. 21 (5).

## 8. PREPARATION AND REVISION OF THE LISTS OF ELECTORS

**365. Preparation and Revision of Lists.**—The statutory provisions dealing with the preparation, revision, printing, etc., of the lists of electors to be used at a by-election are set out in section 17 of the Act, as well as in its Schedules A and B, and the directions to the returning officer on the subject are given in the following paragraphs of these Instructions: Lists, how prepared and revised.

- (a) Paragraphs 231 to 242 deal with the preparation, printing, distribution, etc., of the preliminary lists for urban polling divisions. Preliminary urban lists.
- (b) Paragraphs 254 to 262 deal with the revision of the lists of electors for urban polling divisions. Revision of urban lists.
- (c) Paragraphs 243 to 253 deal with the preparation, printing, distribution, etc., of the preliminary lists for rural polling divisions. Preliminary rural lists.
- (d) Paragraphs 263 to 266 deal with the revision of the lists of electors for rural polling divisions. Revision of rural lists.

**366. Qualifications and Disqualifications of Electors.**—Who may vote.  
 The statutory provisions dealing with the qualifications and disqualifications of electors at a by-election are set out in sections 14, 15, and 16 of the Act, and the directions of the Chief Electoral Officer on the subject are given in paragraphs 324 to 330 of these Instructions.

## 9. PROCEEDINGS ON NOMINATION DAY

**367. Proceedings on Nomination Day.**—Nomination day.  
 On nomination day, at the time and place of which the returning officer has given notice in the Proclamation, no official nominations will be made if all the candidates have been officially nominated earlier. Sometimes, on the other hand, all the candidates may be put in official nomination during the two hours mentioned in the Proclamation.\* It may in any case be advisable for a candidate Sec. 21.

\* The hours of the day mentioned in these Instructions relate to standard time.

Sec. 24.

Sec. 21 (16).

to attend or have some one attend on his behalf on this occasion. An opportunity may arise to raise an objection to an irregular nomination then made which, in the absence of objection, the returning officer might accept. If, at two o'clock in the afternoon, only one candidate is officially nominated, the returning officer will forthwith endorse his return of the candidate elected by acclamation upon the writ, and, although the Statute allows him 48 hours for the purpose, he will no doubt immediately furnish to the elected candidate or his representative a copy of such return. If more than one candidate has been nominated, the returning officer will, forthwith upon the close of nominations, furnish to each candidate officially nominated who applies therefor, a list of the candidates in the field, containing the name, address, and occupation of each.

### 10. ARRANGEMENTS FOR POLL

Agents at  
the polls.

Sec. 25 (4).

Sec. 34 (1).

Sec. 35 (2).

**368. Polling Stations and Agents thereat.**—If there is to be a contest, the returning officer will, after nomination day, publish the Notice of Grant of a Poll (Form 30) describing the boundaries of the polling divisions comprised in the electoral district and stating where in each he will establish the polling station or polling stations, and he will send ten copies of this Notice to each candidate. At each polling station every candidate is entitled to have two agents who should be appointed in writing, on the special form (Form 100). It is not obligatory for agents of candidates so appointed to be qualified electors at the by-election, but such agents should always be Canadian citizens or other British subjects. A candidate may act as his own agent at any polling station, or he may attend at any polling station and assist his agent. If a candidate has not appointed agents to represent him at a polling station, any two electors may undertake to represent him thereat. Any agent or elector representing a candidate is, before acting as such, required to swear the oath of secrecy in Form 39. This oath is merely to the effect that the agent or elector representing a candidate has to keep secret the name of the candidate for whom the ballot paper of any incapacitated elector is marked in his presence. There is no prohibition against the agent or elector representing a candidate giving out, during the hours that the poll is open, information as to who has voted or has not voted in the polling station.

Transfer  
certificates.

Sec. 43 (1).

**369. Transfer Certificates.**—If a candidate appoints as his agent at any polling station an elector who is entitled to vote at some other polling station than that at which he is appointed to act, the agent may, upon showing his written appointment to the returning officer or to the election clerk, obtain a transfer certificate (Form 44), entitling him to vote at the polling station for which he has been appointed to act. This application may be made by the candidate's agent or through a representative. A candidate is also entitled to vote on a transfer certificate, if he is a qualified elector at the by-election and if his name appears on the official list of electors for any polling station established therein. Applications for such transfer certificates should be made as early as circumstances permit. No such certificates for agents shall be issued later than ten o'clock



in the evening of the Saturday immediately preceding polling day. The directions to the returning officer on the subject of the issue of transfer certificates are set out in paragraphs 296 and 297 of these Instructions.

**370. Deputy Returning Officers.**—Each candidate is entitled, at least three days before polling day, to receive from the returning officer a list of the names and addresses of all the deputy returning officers, with the name or number of the polling station for which each is to act; at the same time, a copy of such list will be posted up by the returning officer in his office, where it will be open to public inspection at any reasonable time.

List of  
D.R.O.'s.  
Sec. 26 (2).  
Sec. 26 (5).

## 11. ADVANCE POLLING STATION

**371. Voting at Advance Poll.**—The statutory provisions dealing with voting at an advance poll are set out in sections 94 to 98 of the Act. The directions to the returning officer on the subject are given in paragraphs 289, 298, 299, and 300 of these Instructions.

Advance  
poll.

## 12. ELECTION OFFENCES

**372. Election Offences Generally.**—Nothing need be said in these Instructions on the subject of those offences prescribed by the *Canada Elections Act*, which are of so obviously a criminal character that no person could commit them innocently or ignorantly, but there are certain acts not so obviously criminal which the law forbids, and to which it may be useful briefly to refer.

Election  
offences.

**373. Interference with Election Documents, etc.**—For the purpose of the conduct of a by-election it is necessary to post up in public places various proclamations, notices, and lists of electors. Persons who tear down, deface or alter any of these incur a liability to a heavy fine and to imprisonment for a term of as long as two years.

Interference  
with notices,  
etc.

Sec. 72.

**374. Information on Posters and Dodgers.**—In order that responsibility for them may be brought home to the persons by whom they have been printed and published, the Statute requires that there should appear on every printed handbill, placard, poster, or dodger issued in reference to a by-election, the name and address of the printer who prints it and of the person by whom it is published. An omission to comply with this provision renders both the printer and his customer liable to penalties. Candidates and their official agents are well advised to see that it is complied with by those by whom the candidate is supported, and they should be careful to comply with it themselves, not only on account of the penalties attached to its breach, but also to prevent risking the voidance of the election of the candidate.

Printer's  
name on  
posters, etc.

Sec. 71.

**375. False Statement.**—The Statute prescribes a very severe penalty for any person who, before or during a by-election, for the purpose of procuring the election of another candidate, knowingly publishes a false statement of the withdrawal of a candidate at such by-election.

False  
statement of  
withdrawal of  
candidate.

Sec. 22 (4).

Loud speakers, ensigns, banners, etc., illegal.

Sec. 49 (3).

**376. Loud Speakers, Ensigns, Banners, etc.**—The supply or the use on automobiles, trucks or other vehicles of loud speakers, bunting, ensigns, banners, standard or set of colours or any other flag to any person as political propaganda is prohibited in the electoral district on the day immediately preceding polling day at the by-election, and before the closing of the polls on such polling day.

Badges, ribbons, labels, etc., prohibited.

Sec. 49 (4).

**377. Badges, Ribbons, Labels, etc.**—The supply, or the use, by any person, on or within two days of polling day, of party badges, flags, ribbons, labels or other favours is illegal, and an election offence is committed not only by the person by whom the badge or label is furnished, but also by the person by whom it is carried or worn.

Signed pledges by candidates prohibited.

Sec. 107.

**378. Signed Pledges by Candidates.**—Candidates are prohibited from signing any written document presented to them by any person, or group of persons, between the date of the issue of the writ ordering the by-election and polling day, if such document requires the candidate to follow any course of action which will prevent him from exercising freedom of action in Parliament if elected, or to resign as such member if called upon to do so by any person or group of persons.

Corruption of electors.

Secs. 65-67.

**379. Influencing Electors.**—The prohibitions of the electoral law are not confined to such gross forms of corruption as the payment for votes, but expressly extend to the influencing of electors by any of a variety of corrupt methods, for example, by fear, fraud, violence, and even by such possibly innocent acts as the supply of food or drink, or by suggestions of benefit to follow from voting or refraining from voting. The line between innocent and corrupt conduct is often a very narrow one, and the decision upon which side a given act falls sometimes depends upon fine-drawn inferences from a number of facts. The statutory provisions on the subject are elaborate and perhaps involved, but a candidate who confines himself, and sees that his supporters confine themselves, to a legal political campaign, has nothing to fear from the law in this regard.

Disorderly conduct at public meetings.

Sec. 106.

**380. Peace and Good Order at Public Meetings.**—The Act provides a severe penalty for any person who acts in a disorderly manner with intent to prevent the transaction of the business of a public meeting called for the purpose of the by-election. It is also an offence against the Act to conspire with other persons to act in a disorderly manner at such meetings.

Persons employed by candidates.

Sec. 15.

**381. Employment for Pay or Reward.**—Every person employed on behalf of a candidate for pay or reward in relation to a by-election is disqualified from voting in the electoral district in which such person would otherwise be entitled to vote, unless such person is (a) the official agent of the candidate, or (b) employed in printing election material on behalf of the candidate, or (c) employed, whether casually or for the period of the by-election, in advertising of any kind, or as clerk or stenographer, or as messenger on behalf of the candidate; provided that the number of persons employed under the said clause (c) does not exceed one for each 500 electors in the electoral district. The name, address, and occupation of every

such person employed under the said clause (c) should be communicated in writing by the official agent to the returning officer who will in turn communicate such information to the deputy returning officer of the appropriate polling station.

**382. Carrying Arms.**—The carrying of arms or even of Arms. bludgeons on polling day within a mile of any polling station is prohibited, the only persons who are excepted from the Sec. 49 (1, 2). prohibition being election officers and constables.

**383. Selling or Giving Intoxicants.**—Not only the selling Intoxicants. but also the giving away of any spirituous or fermented liquor on polling day is an offence, if the sale or gift is made at any Sec. 49 (5). “hotel, tavern, shop, or other place”.

**384. Conveyance of Electors to the Polls.**—Electors may Hire of pay their own fares to go to vote, or may hire conveyances for vehicles. their own carriage, but any one who pays electors’ fares or who Secs. 73, 74. hires or lets a conveyance for the purpose of taking electors to or from the polls, is guilty of an election offence.

**385. Preventing Voting and Violating its Secrecy.**— Secrecy of Attempts to interfere with the free exercise of the franchise and ballot. all breaches of the secrecy of the ballot are election offences, to Secs. 31, 44, 45. which are attached greater or less penalties.

### 13. AT AND AFTER THE COUNTING OF VOTES

**386. Counting the Votes at Polling Stations.**—Every poll Counting should be closed promptly at the hour fixed, or after the electors the votes. who have actually reached the polling station at that time have Sec. 50 (1). been allowed to vote, and the counting of the votes cast thereat immediately proceeded with. If present in the polling station at the close of the poll (6 p.m. standard time), agents of candidates have a right, during the counting of the votes, to look at both Sec. 50 (2). the front and back of every ballot paper cast and to make objections to the acceptance or rejection of any ballot paper which appears to be irregular, which objections must be recorded on the proper page of the poll book after a decision has been finally made on the matter by the deputy returning officer. When the counting of the votes has been completed, the deputy returning officer must furnish to one of the agents of each Sec. 50 (8). candidate, and send by mail to each candidate in the field, a statement of the result of the voting at his polling station.

**387. Official Addition of Votes.**—The official determination Official of the number of votes cast for each candidate is made by the addition of returning officer at a time and place of which he has given notice votes. in the Proclamation (Form 4). Every candidate is entitled to Sec. 51 (2). be present or to be represented on this occasion, and this right is one which he should not fail to exercise. He or his representa- Sec. 52. tive may, if official statements of the poll are missing, materially Sec. 52 (3-5). assist the returning officer in determining the result of the voting by producing the copies of the statements of the poll sent to him or furnished to his agents at the polls.



Result of  
voting  
certified by  
returning  
officer.

Sec. 51 (5).

Sec. 54 (4).

Candidate  
declared  
elected by  
returning  
officer.

Sec. 56 (3).

Sec. 63 (1).

Deposits.

Sec. 21 (14).

Complaints  
and  
suggestions.

Sec. 58 (2).

**388. Certification of Result of Voting.**—As soon as he has ascertained the result of the voting, the returning officer will certify in writing, on the appropriate form (Form 150), the name of the candidate who has obtained the largest number of votes, the total number of votes obtained by each candidate in the field at the by-election, and the total number of rejected ballot papers, as ascertained at the official addition of the votes. The returning officer will deliver a copy of this certificate to each candidate who is present or represented at the official addition of the votes and send a copy by registered mail to any candidate who is not. The date of this certificate is important since the time allowed for making application for a recount runs from it. If a recount is desired it must be applied for within four days, and to permit an application being made the returning officer retains the election papers and makes no return to the writ until the expiration of six days from the date of the said certificate.

**389. Declaration of Elected Candidate.**—After the 6th day next following the date upon which the official addition of the votes has been completed, or if a recount has been held then immediately thereafter, the returning officer will declare elected the candidate who has obtained the largest number of votes, by completing the return to the writ in the form printed for that purpose on the back of the writ ordering the by-election, and he will send a copy of such return to the writ, in Form 141, to each candidate in the field at the by-election. The date of the said return to the writ is important since the statutory period within which various steps relating to the returns of candidates' election expenses must be taken, runs from it.

**390. Return of Deposits.**—The deposit of the elected candidate, and the deposits of the other candidates who have obtained a number of votes at least equal to one-half the number cast for the elected candidate, will be sent back to them by the Comptroller of the Treasury after the returning officer has made his return to the writ and the Chief Electoral Officer has issued to the Comptroller of the Treasury a certificate of the result of the voting. The return of the deposit will be made by a Government cheque made to the order of the candidate entitled to it, and this cheque will be dispatched to him by mail as soon as the necessary formalities have been complied with. The cheque should generally reach him within a month's time after the declaration of the elected candidate.

**391. Complaints and Suggestions.**—If the candidate thinks that, in the course of the by-election, any election officer has failed to do his duty, or if, as the result of the experience gained during the campaign, he considers that the Act requires amendment, he has a right, through the Chief Electoral Officer, to report the delinquent election officer to Parliament and to make to it his suggestions for the amendment of the Act. All he need do is to write to the Chief Electoral Officer on the subject, referring to section 58 of the Act, and his letter will be included in the Chief Electoral Officer's next report to the Speaker of the House of Commons. This is a simple method whereby any candidate may bring to the attention of Parliament and the

public an injustice which he may consider himself to have suffered, and any proposal which may occur to him for the improvement of the election procedure.

#### 14. RETURN OF ELECTION EXPENSES

**392. Personal Expenses of Candidate.**—Whether the candidate has been elected or defeated, and even if he has not gone to the poll,\* attention must, after the declaration of the elected candidate, be given to the making of a return of his election expenses. The first duty of the candidate is to certify to his official agent in writing the amount of his personal expenses which he has paid out of his own money and which, as already indicated, must not exceed \$2,000. If he has been obliged to incur personal expenses to a greater amount, all items beyond the first \$2,000 must be met by the official agent out of the campaign fund in his hands and a return made of the several items. The candidate may, of course, furnish his official agent with the necessary funds to pay these personal expenses, but he may not himself pay them direct to the creditor.

Candidate's  
personal  
expenses.  
Sec. 62 (4, 15).

**393. Accounts and their Payment.**—There is no legal liability upon the candidate to pay any account for anything done or supplied on credit in relation to the election campaign, unless the contract has been made in writing signed by either the candidate or his official agent, and the persons by whom credit has been given for any sums payable in relation to the said campaign must send in their accounts within one month from the date upon which the declaration of the elected candidate was made. The accounts must be sent to the official agent; they may be sent to the candidate only if the official agent is dead, and if they are sent to the candidate notwithstanding that the official agent is alive, they can be paid only after permission for their payment has been obtained from the appropriate judge. A like permission is necessary before payment can be made of any account not sent in within a month from the declaration of the elected candidate, unless the delay has been due to the death of the creditor, in which event the account may be paid without an application to the appropriate judge, provided that it is sent by the executor or administrator within one month after the issue to him of letters probate or letters of administration. Moreover, any creditor who fails to send his account to the official agent within such time loses any legal right he may have had previously to recover the sum claimed. The accounts properly payable must be settled within fifty days after the declaration of the elected candidate, and the payment, after the expiration of this period of fifty days, even of an account received in time, constitutes an election offence, unless, as in the case of an account rendered too late, an application has been made to the appropriate judge and an order obtained from him permitting the account to be paid.

Election  
expense  
accounts.  
Sec. 62 (6).  
Sec. 64.  
Sec. 62 (8).  
Sec. 62 (10).  
Sec. 62 (8, 12).  
Sec. 62 (8).  
Sec. 62 (11).  
Sec. 62 (12).

**394. Form of Return of Election Expenses.**—The completion of the return of election expenses can be proceeded with by the official agent either as soon as he knows that all out-

Form of  
return of  
election  
expenses.

\* Every candidate who has been publicly in the field should cause to be made a return of election expenses, even if he has not been officially nominated or has made no election expenditure whatever. See Secs. 2 (3), 62, and 63 (1) of the Act.

- standing accounts have been paid, or immediately upon the expiration of one month from the date of the declaration of the elected candidate and the payment of the accounts rendered up to that time, whichever is the later. The form of return of election expenses (Form 61) indicates the way in which the accounts are to be classified, and to the said return, vouchers must be attached for all payments of \$10 or more and for sums, however small, expended in the first instance by any one other than the official agent, but under his written authority, and now repaid by the official agent. If the official agent has within time received accounts which for any reason he disputes, or if within the fifty days, by reason of lack of funds or otherwise, he has failed to pay any accounts rendered within time, he must refer separately to these in his return. In order that they may be paid, an order from the appropriate judge giving leave for the purpose must be obtained on the application of the claimant, of the candidate or of the official agent, or if the creditor brings action and recovers judgment, the account may lawfully be paid. A supplementary return must, however, be promptly made, if, after the handing in of the main return, leave is given by the appropriate judge to pay any account which was not received within time or to which, by error or otherwise, no reference was made in the return, or if payment is made of an account rendered by the executor or administrator of a creditor who has died within one month after the declaration of the elected candidate. It is probably advisable that a supplementary return should be made of any payment under a judgment on a disputed account.
- Sec. 62 (7).
- Sec. 62 (12).
- Sec. 62 (14).
- Sec. 63 (4).
- Sec. 63 (11).

Time for  
return of  
election  
expenses.

- 395. Time for and Verification of Return.**—The return of election expenses must be sent by the official agent to the returning officer within two months after the declaration of the elected candidate. Approximately ten days thus intervene between the expiry of the time limited for the payment of accounts and that allowed for the deposit of the return with the returning officer. Accompanying the return there must be a statutory declaration (Form 62) by the official agent verifying it, and a like declaration (Form 63) must, at least within ten weeks after the candidate who has obtained the largest number of votes, has been declared elected, be sent to the returning officer by the candidate concerned, unless the latter is absent from Canada, in which case his declaration (Form 64) verifying the return may be delayed until he comes back, but must be made within fourteen days after he does so. Supplementary returns, if any are required, are governed by the same rules as apply to the main return, but such a return covering a belated or omitted account must be made within one week after the approval of its payment by the appropriate judge. When judgment is given on a disputed account, a supplementary return, if one is made, should, for greater security, be transmitted to the returning officer within one week after judgment and a copy of the judge's order should be attached to it. For a supplementary return covering the account from the executor or administrator of a deceased creditor a month from its receipt is allowed.
- Sec. 63 (1).
- Sec. 63 (2).
- Sec. 63 (3).
- Sec. 63 (10).
- Sec. 63 (4).
- Sec. 63 (11).
- Sec. 63 (4).

Default  
in return  
of election  
expenses.

- 396. Importance of Complete and Prompt Return.**—Default in the making of the return of election expenses within the time limited therefor is not only a punishable offence, but



may cost the successful candidate his seat. If, moreover, after the time for the transmission of the return has expired, a successful candidate takes his seat in the House of Commons, he subjects himself to a very heavy penalty. A successful candidate is therefore well advised to see that the said return is made as soon as possible, and an early return has the additional advantage that the time allowed for an election petition, speaking generally, runs from the date of the return, so that the earlier it is made the earlier the time for filing an election petition expires.

**397. Publication and Inspection of Return.**—When the returning officer receives a return of election expenses it is his duty to publish a summary of it in the form prescribed (Form 115) in a local newspaper. This summary must be signed by the official agent and the expenses of its publication must be met by the candidate; the cost of this publication will be paid in advance to the returning officer. The returning officer is required to retain the return of election expenses with its accompanying vouchers and declarations for six months, during which period he must, on receipt of twenty cents, permit them to be inspected by any elector who desires to do so and must allow extracts to be taken. At the expiration of the said six months the returning officer is required, if a request has been made by the appropriate candidate or his official agent, to hand the return of election expenses to such candidate; otherwise, he may destroy them.

Publication and inspection of return of election expenses.  
Sec. 63 (5).  
Sec. 63 (6).

**398. Relief against Defaults and Errors.**—If, for any reason, default is made in the delivery of a return of election expenses to the returning officer, or if, after it has been made, it is discovered to contain some error or mis-statement, an application for relief from the penalties attached to the default or to the inaccuracy of the said return should immediately be made to the appropriate judge on proper affidavits stating the reasons for the default or the excuses for the error or mis-statement. The grounds upon which such an application may be granted and the procedure to be followed thereon are set out in the Statute with considerable fullness, and should be considered with care if an application becomes necessary.

Relief after default.  
Sec. 63 (12-15).

## 15. DIARY FOR CANDIDATES AND THEIR OFFICIAL AGENTS

Paragraph of Instructions	Rights and Obligations	Check
<b>I. PRELIMINARY STEPS</b>		
225, 351	1. Nominate urban enumerators, when entitled to do so.....	
278, 352	2. Select and appoint an official agent.....	
352	3. Notify supporters of his appointment.....	
229	4. Obtain copies of Proclamation.....	
207, 362	5. Obtain copies of By-Election Instructions and forms of nomination paper.	
279, 363	6. Have official nomination paper completed.....	
279, 363	7. Hand it to returning officer with deposit.....	
279, 280	8. Obtain his receipt.....	
278, 352, 357, 358	9. Notify returning officer of appointment of official agent....	
231, 246	10. Inspect list of names of enumerators.....	
<b>II. AFTER PRINTING OF PRELIMINARY LISTS</b>		
241, 253	1. Receive copies of printed preliminary lists.....	
<b>III. AT AND AFTER REVISION OF URBAN LISTS, IF ANY</b>		
259	1. Receive copies of Notice of Revision.....	
—	2. Arrange to be represented before each revising officer.....	
—	3. Receive statements of changes and additions from each revising officer.	
<b>IV. AT AND AFTER RURAL REVISION, IF ANY</b>		
—	1. Arrange to be represented before each rural enumerator....	
265	2. Receive statements of changes and additions from returning officer.	
<b>V. ON NOMINATION DAY</b>		
281, 367	1. Attend at place of nomination between noon and 2 p.m. (standard time).	
284, 367	2. Obtain, on request, list of names of candidates.....	
207, 362	3. Obtain two copies, for each polling station in the electoral district, of the form of appointment of a candidate's agent at a poll.	
207, 362	4. Obtain three copies of the forms for return of election expenses.	

# DIARY FOR CANDIDATES AND THEIR OFFICIAL AGENTS—*Conc.*

Paragraph of Instructions	Rights and Obligations	Check
<b>VI. FOR THE POLL</b>		
<b>204, 381</b>	<b>1. Send to returning officer list of names of persons legally employed for pay or reward.</b>	
<b>285, 368</b>	<b>2. Receive copies of Notice of Grant of a Poll .....</b>	
<b>289</b>	<b>3. Receive copies of Notice of Holding of Advance Poll, if any..</b>	
<b>368</b>	<b>4. Appoint agents at the polls .....</b>	
<b>296, 369</b>	<b>5. Arrange for transfer certificates for agents, where necessary .</b>	
<b>294, 370</b>	<b>6. Obtain list of names of deputy returning officers .....</b>	
<b>368</b>	<b>7. Attend polling stations on polling day .....</b>	
<b>386</b>	<b>8. Receive by mail a copy of statement of poll from every deputy returning officer.</b>	
<b>VII. AFTER THE POLL</b>		
<b>307, 387</b>	<b>1. Attend official addition of the votes .....</b>	
<b>310, 388</b>	<b>2. Receive copy of certificate showing the number of votes cast for each candidate, etc.</b>	
<b>317-319</b>	<b>3. Attend recount, if one ordered .....</b>	
<b>319</b>	<b>4. Receive from judge copy of certificate on result of his recount</b>	
<b>321, 389</b>	<b>5. Receive from returning officer copy of return to the writ...</b>	
<b>391</b>	<b>6. Send complaints and suggestions, if any, to Chief Electoral Officer.</b>	
<b>392</b>	<b>7. Furnish statement of personal expenses to official agent...</b>	
<b>392</b>	<b>8. Have return of election expenses completed .....</b>	
<b>395, 396</b>	<b>9. Have this return sent to returning officer .....</b>	
<b>323, 397</b>	<b>10. Make remittance to returning officer for publication of summary of election expenses.</b>	
<b>397</b>	<b>11. Six months later, obtain return of election expenses, if desired.</b>	





## CANADA ELECTIONS ACT

(Modified in consolidation by the Chief Electoral Officer,  
pursuant to section 109 thereof, for the conduct of  
by-elections)

### SHORT TITLE.

Short title.      1. This Act may be cited as the *Canada Elections Act*.

### INTERPRETATION.

Definitions.      2. In this Act,

"Advance poll."      (1) "advance poll" means a poll held as provided by sections 94 to 97, inclusive;

"By-election."      (2) "by-election" means an election other than a general election;

"Candidate" or "candidate at an election."      (3) "candidate" or "candidate at an election" means any person who is officially nominated as a candidate at a by-election, or who, after the day of the issue of the writ for a by-election, or after the occurrence of a vacancy in consequence of which a writ for a by-election is eventually issued, is declared by himself or by others with his consent to be a candidate;

"Commercial traveller."      (4) "commercial traveller" means a person employed on salary or on commission by a manufacturer or wholesale merchant to travel from place to place selling goods to, or taking orders for goods from, jobbers and retailers;

"During an election" or "at an election" or "throughout an election."      (5) "during an election" or "at an election" or "throughout an election" includes the period after the issue of the writ for a by-election, or after the occurrence of a vacancy in consequence of which a writ for a by-election is eventually issued, until the candidate obtaining the highest number of votes is returned as elected;

"Election."      (6) "election" means an election of a member to serve in the House of Commons of Canada;

"Election documents" or "election papers."      (7) "election documents" or "election papers" mean the papers directed in this Act to be transmitted to the Chief Electoral Officer, after a by-election, by the returning officer, namely: the writ with the return of the election endorsed thereon; the nomination papers filed by the candidates; the reserve supply of undistributed blank ballot papers; the enumerators' record books used in urban polling divisions; the index books prepared by enumerators in rural polling divisions; the revising officers' record sheets and other papers relating to the revision of the lists of electors in urban polling divisions; the statements of the polls from which the official addition of the votes was made; and the other returns from the various polling stations enclosed in sealed envelopes, as prescribed in section 50, and containing

(a) the poll book used at the poll,

(b) a packet of stubs and unused ballot papers,

- (c) packets of ballot papers cast for the various candidates,
- (d) packet of spoiled ballot papers,
- (e) packet of rejected ballot papers, and
- (f) packet containing the official list of electors used at the poll, the written appointments of candidates' agents and the used transfer certificates, if any;

(8) "election officer" includes the Chief Electoral Officer, <sup>"Election officer."</sup> the Assistant Chief Electoral Officer and every returning officer, election clerk, deputy returning officer, poll clerk, enumerator, revising officer or other person having any duty to perform pursuant to this Act, to the faithful performance of which duty he may be sworn;

(9) "election petition" means a petition presented in pursuance <sup>"Election petition."</sup> of the *Dominion Controverted Elections Act*;

(10) "elector" means any person qualified to vote at a by- <sup>"Elector."</sup> election, whether his name is or is not on any list of electors;

(11) "electoral district" means any place or territorial area <sup>"Electoral district."</sup> entitled to return a member to serve in the House of Commons of Canada;

(12) "fishermen" means all persons who are engaged or <sup>"Fishermen."</sup> employed on inland, coastal, or deep-sea waters, on salary or wages, or on shares in association with others, or on their own behalf, in the process of fishing as an industry, including sealing and whaling;

(13) "form" means a form as in Schedule One or any other <sup>"Form."</sup> form relating to the administration of a by-election under this Act, prescribed by the Chief Electoral Officer;

(14) "hours of the day" and all other references to time <sup>"Hours of the day."</sup> appearing in this Act relate to standard time;

(15) "judge" or "the judge" when used to define the judicial <sup>"Judge" or "the judge."</sup> officer upon whom is conferred specific powers means,

- (a) in relation to any place or territory within the judicial districts of Quebec or Montreal in the Province of Quebec, the judge from time to time performing the duties of Chief Justice of the Superior Court, or the Acting Chief Justice, as the case may be, each acting for the district in which he resides, or such other judge as may be assigned by the said Chief Justice or Acting Chief Justice to perform the duties in this Act required to be performed by the judge;
- (b) in relation to any place or territory within a judicial district, other than the judicial district of Quebec or Montreal, in the Province of Quebec for which a judge of the Superior Court has been appointed, the judge so appointed, or where there is more than one such judge, the senior of them;
- (c) in relation to any other place or territory in the Province of Quebec, the judge indicated by the Chief Justice or Acting Chief Justice as being the judge exercising from time to time the jurisdiction of the Superior Court Judge of the judicial district within which such place or territory lies, and if there is more than one judge exercising such jurisdiction, the senior of them;

- (d) in relation to the electoral districts of Yukon and Mackenzie River, the person exercising from time to time the jurisdiction of the judge of the Territorial court of the Yukon Territory;
- (e) in relation to any other place or territory in Canada, the judge exercising from time to time the jurisdiction of the judge of the county court of the county, or the judge of the district court of the judicial district, as the case may be, within which such place or territory lies, and if there is more than one such judge the senior of them; and
- (f) in relation to any place or territory in Canada where there is no judge as defined in paragraphs (a) to (e) or a vacancy exists or arises in the office of any such judge or where such judge is unable to act by reason of illness or absence from his judicial district, the judge exercising the jurisdiction of such judge, and if there is more than one judge exercising such jurisdiction, the senior of them, and if no judge is exercising such jurisdiction, any judge designated for the purpose by the Minister of Justice;

"Judicial district."

(16) "judicial district" means a territory, county or district in respect of which a judge has been appointed to exercise judicial functions;

"List of electors."

(17) "list of electors" means either the preliminary list of electors or the official list of electors as herein defined, and as the context requires;

"Member."

(18) "member" means a member of the House of Commons of Canada;

"Nomination day" or "the day of nominations."

(19) "nomination day" or "the day of nominations" means the day upon which nominations close as in this Act provided;

"Official agent."

(20) "official agent" means the agent appointed by a candidate and specially charged with the paying of all legal expenses on account of the management or conduct of the by-election, whose name and address have been declared in writing to the returning officer on or before nomination day or as by this Act required;

"Oath."

(21) "oath" includes affirmation and statutory declaration;

"Official list of electors."

(22) "official list of electors" means

- (a) in an urban polling division, any copy of the printed preliminary list prepared by the enumerators pursuant to Rules (1) to (16) of Schedule A to section 17 taken together with a copy of the statement of changes and additions certified by the revising officer pursuant to Rule (40) of the said Schedule A, or the appropriate portion of the preliminary list that has been divided by the returning officer for the taking of the votes taken together with the special statement of changes and additions certified by the returning officer pursuant to subsection (7) of section 33, and



- (b) in a rural polling division, any copy of the printed (or, where it has been found impossible to print, the written or typewritten) preliminary list of electors prepared by the enumerator pursuant to Rules (1) to (11) of Schedule B to section 17, taken together with a copy of the statement of changes and additions in Form No. 26, certified by the enumerator pursuant to Rule (19) of the said Schedule B to section 17, or the appropriate portion of the preliminary list of electors that has been divided by the returning officer for the taking of the vote taken together with the special statement of changes and additions, certified by the returning officer pursuant to subsection (7) of section 33;

(23) "official nomination" or "officially nominated" means the filing of a nomination paper and deposit by a candidate with the returning officer at any time between the date of the Proclamation and the hour fixed for the close of nominations on nomination day; "Official nomination," or "officially nominated."

(24) "person" includes elector, voter and candidate; "Person."

(25) "personal expenses" as used herein with respect to the expenditure of any candidate in relation to the by-election at which he is a candidate, includes the reasonable travelling expenses of such candidate and the reasonable expenses of his living at hotels or elsewhere for the purposes of and in relation to such by-election, and all other expenses that, except as restrained by this Act, he may in person lawfully incur and pay; "Personal expenses."

(26) "poll book" means the book in Form No. 40 in which the name and other particulars of every person applying to vote are consecutively entered by the poll clerk as soon as the applicant's right to vote at the polling station has been ascertained and before any such applicant is allowed to vote; "Poll book."

(27) "polling day" or "day of polling" means the day fixed on polling day and to which the whole or a portion of the official list of electors for a polling division is allotted; "Polling day," or "day of polling."

(28) "polling division" means any division, subdivision, district, subdistrict or other territorial area fixed by the returning officer, for which a list of electors shall be prepared and for which one or more polling stations shall be established for the taking of the vote on polling day; "Polling division."

(29) "polling station" means suitable premises secured by the returning officer for the taking of the vote of the electors on polling day and to which the whole or a portion of the official list of electors for a polling division is allotted; "Polling station."

(30) "preliminary lists of electors" mean the lists of electors prepared by enumerators pursuant to Rules (1) to (16) of Schedule A to section 17 and Rules (1) to (11) of Schedule B to section 17; "Preliminary lists of electors."

(31) "province" means any province of Canada and includes the electoral districts of Yukon and Mackenzie River; "Province."

(32) "recount" means and includes either or both "Recount."

- (a) adding again the votes given for each candidate as recorded in the statements of the polls returned by the several deputy returning officers,

- (b) examining and counting the used and counted, the unused, the rejected and the spoiled ballot papers as prescribed in subsection (7) of section 54;
- "Rejected ballot paper." (33) "rejected ballot paper" means a ballot paper that has been handed by the deputy returning officer to an elector to cast his vote, but, at the close of the poll, has been found in the ballot box unmarked or so improperly marked that it cannot be counted;
- "Revising officer." (34) "revising officer" includes *ex officio* revising officer and substitute revising officer;
- "Rural polling division." (35) "rural polling division" means a polling division whereof no part is contained either within an incorporated city or town having a population of five thousand or more, or whereof no part is contained within any other area directed by the Chief Electoral Officer to be or to be treated as an urban polling division, pursuant to the provisions of section 12;
- "Spoiled ballot paper." (36) "spoiled ballot paper" means a ballot paper that, on polling day, has not been deposited in the ballot box but has been found by the deputy returning officer to be soiled or improperly printed, or that has been handed by the deputy returning officer to an elector to cast his vote, and
- (a) has been spoiled in marking by the elector, and
- (b) has been handed back to the deputy returning officer and exchanged for another;
- "Stereotype block." (37) "stereotype block" means the printer's block supplied by the Chief Electoral Officer to the returning officer, and of which an impression is printed on the back of each ballot paper by the printer thereof;
- "Urban polling division." (38) "urban polling division" means a polling division that is wholly contained within an incorporated city or town having a population of five thousand or more, or within any other area directed by the Chief Electoral Officer to be or to be treated as an urban polling division, pursuant to the provisions of section 12;
- "Voter." (39) "voter" means any person who votes at a by-election; and
- "Writ." (40) "writ" means the writ for a by-election.

*The Chief Electoral Officer and his Staff.*

Chief  
Electoral  
Officer.

3. The Chief Electoral Officer shall exercise and perform all the powers and duties specified in this Act as exercisable and performable by him.

Rank,  
powers,  
salary and  
tenure of  
office of  
Chief  
Electoral  
Officer.

4. (1) The Chief Electoral Officer shall rank as and have all the powers of a deputy head of a department, communicate with the Governor in Council through the Secretary of State of Canada, devote himself exclusively to the performance of the duties of his office and be paid a salary of thirteen thousand five hundred dollars per annum; he is eligible as a contributor under and entitled to all the benefits of the *Public Service Superannuation Act* but, until he has attained the age of sixty-five years when he shall be compulsorily retired, he shall be removable only for cause in the same manner as a Judge of the Supreme Court of Canada.

(2) In the event of a vacancy in the office of Chief Electoral Officer it shall be filled by resolution of the House of Commons. Vacancy in office of Chief Electoral Officer.

(3) In the event of the death of the Chief Electoral Officer while Parliament is not sitting, or of his inability or neglect to perform the duties of his office, a substitute shall, upon the application of the Secretary of State, be appointed by the Chief Justice of Canada, or in his absence by the senior judge of the Supreme Court of Canada then present in Ottawa. Appointment of substitute.

(4) Upon his appointment such substitute shall exercise the powers and perform the duties of the Chief Electoral Officer in his place and stead until fifteen days after the commencement of the next following session of Parliament unless the Chief Justice of Canada, or the judge by whom the order appointing him was made, sooner directs that such order be rescinded. Tenure of office of substitute.

(5) In the absence of both the Chief Justice of Canada and of the judge of the Supreme Court of Canada by whom a substitute for the Chief Electoral Officer has been appointed the order appointing such substitute may be rescinded by any other judge of the said court. Absence of Chief Justice

(6) The remuneration of a substitute Chief Electoral Officer may be fixed by the Governor in Council. Remuneration of substitute.

(7) The Chief Electoral Officer shall be paid his reasonable travelling and living expenses while absent from Ottawa on the business of his office. Travelling and living expenses.

(8) Any sums payable to the Chief Electoral Officer shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada. Payment.

## 5. The Chief Electoral Officer shall

- (a) exercise general direction and supervision over the administrative conduct of elections and enforce on the part of all election officers fairness, impartiality and compliance with the provisions of this Act; Special powers and duties of Chief Electoral Officer.
- (b) issue to election officers such instructions as from time to time he may deem necessary to ensure effective execution of the provisions of this Act; and
- (c) execute and perform all other powers and duties which in this Act are imposed upon him.

6. (1) The staff of the Chief Electoral Officer shall consist of an officer known as the Assistant Chief Electoral Officer, appointed by the Governor in Council, and such other officers, clerks, and employees as may be required, who shall be appointed in the manner authorized by law. Staff.

(2) The Assistant Chief Electoral Officer is a contributor under and entitled to all the benefits of the *Public Service Superannuation Act*. Superannuation.

## *Writ of Election.*

7. (1) Elections shall be instituted, as heretofore, by writs of election, which shall be in Form No. 1. Writ of election.

(2) The writ of election shall be dated on such day as the Governor in Council shall determine; it shall be issued by the Writ dated.



Transmission  
to returning  
officer.

Chief Electoral Officer and directed to the person appointed to be returning officer and shall be forwarded to him, by registered mail or otherwise, by the Chief Electoral Officer forthwith after its issue.

Returning  
officer to  
act under  
penalty.

(3) Every returning officer to whom a writ is directed shall forthwith upon its receipt, or upon notification by the Chief Electoral Officer of the issue thereof, cause to be promptly taken such of the proceedings directed by this Act as are necessary in order that the by-election may be regularly held, and any returning officer who wilfully neglects so to do is liable on summary conviction to a fine of one thousand dollars, or to imprisonment for three months, or to both fine and imprisonment.

Withdrawal  
of writ.

(4) Where the Chief Electoral Officer certifies that by reason of a flood, fire, or other disaster, it is impracticable to carry out the provisions of this Act in an electoral district where a writ has been issued ordering a by-election, the Governor in Council may order the withdrawal of such writ, and a notice to that effect shall be published in a special issue of the *Canada Gazette* by the Chief Electoral Officer; in the event of such withdrawal, a new writ ordering a by-election shall be issued within six months after such publication in the *Canada Gazette*.

#### *Returning Officers and Election Clerks.*

Appoint-  
ment of  
returning  
officers.

8. (1) The offices of all returning officers appointed prior to the passing of this Act shall be deemed to be vacant and the Governor in Council may appoint to such offices either the same persons as now hold them, any of such persons or any other persons; he may also thereafter appoint from time to time a returning officer for any new electoral district and a new returning officer for any electoral district in which the office of returning officer becomes vacant, within the meaning of subsection (2).

Vacation  
of office.

(2) The office of a returning officer who is hereafter appointed shall not be deemed to be vacant unless he dies, or, with prior permission of the Chief Electoral Officer, resigns, or unless he is removed from office for cause within the meaning of subsection (3).

Removal  
from office.

(3) The Governor in Council may remove from office, as for cause, any returning officer who

- (a) has attained the age of sixty-five years;
- (b) ceases to reside in his electoral district;
- (c) is incapable, by reason of illness, physical or mental infirmity or otherwise, of satisfactorily performing his duties under this Act;
- (d) has failed to discharge competently his duties, or any thereof, under this Act; or
- (e) has, at any time after his appointment, been guilty of politically partisan conduct, whether or not in the course of performance of his duties under this Act.

List to be  
gazetted.

(4) The name, address and occupation of every person who is appointed as a returning officer, and the name of the electoral district for which he is appointed shall be communicated to the Chief Electoral Officer and he shall publish in the *Canada*

*Gazette*, between the 1st and 20th days of January in each year, a list of the names, addresses and occupations of the returning officers for every electoral district in Canada.

9. (1) The returning officer shall, forthwith upon his appointment, nominate in writing an election clerk, who shall be a person qualified as an elector in the electoral district, and he and the election clerk shall each make oath faithfully to perform his duties without partiality, fear, favour or affection; and such appointment and oaths may be in Forms Nos. 2 and 3, respectively. Election clerk.

(2) If the election clerk dies, becomes disqualified or incapable of acting or refuses to act, or is removed from office for any other reason, the returning officer shall at once appoint a substitute, who upon his appointment shall make oath as aforesaid. Appointment of substitute.

(3) The oath of the returning officer and the appointment and oath of every election clerk shall be transmitted by the returning officer to the Chief Electoral Officer forthwith after their completion. Transmission of oaths. 4

(4) Subject as aforesaid, every election clerk holds office during the pleasure of the returning officer by whom he has been appointed and, after the death of such returning officer or the expiry of his term of office, until his successor has appointed a new election clerk. Tenure of office of election clerk.

(5) It is the duty of the returning officer and of the election clerk forthwith to notify the Chief Electoral Officer if the returning officer at any time becomes unable to act by reason of illness, absence from the electoral district or otherwise, and it is the duty of the election clerk forthwith to notify the Chief Electoral Officer of the death of the returning officer; the Chief Electoral Officer shall communicate all such notifications to the Secretary of State of Canada. Notice if returning officer incapacitated.

(6) If the returning officer dies or becomes unable to act the election clerk is, until the appointment of a new returning officer, or until the returning officer again becomes able to act, responsible for the administration of any pending by-election as if he himself had been appointed to be returning officer for the electoral district, and subject as aforesaid, a writ of election may, in any case in which the returning officer has died or become unable to act before the issue of such writ and before his successor has been appointed, be addressed to the election clerk. Election clerk to act.

(7) Every election clerk who is required to act as returning officer at a by-election in the place of the returning officer by whom he was appointed shall himself, in his turn, appoint an election clerk. Appointment of new election clerk.

10. (1) The returning officer shall, forthwith upon the receipt of notice that a writ has been issued for a by-election in his electoral district, open, and shall throughout the by-election maintain, an office in some convenient place in the electoral district where the electors can have recourse to him, and shall give public notice of the location of such office in the proclamation of the election in Form No. 4, or in such other manner as the Chief Electoral Officer may direct. Returning officer to open and maintain an office.

Attendance at office by returning officer and election clerk.

(2) Either the returning officer or the election clerk shall remain continuously on duty in the returning officer's office during the hours that the polls are open; no returning officer or election clerk shall act as deputy returning officer or poll clerk at any polling station.

### *Polling Divisions.*

Boundaries of polling divisions.

11. For the conduct of a by-election, polling divisions shall be those established for the last general election, unless the returning officer considers that a revision of the boundaries thereof is necessary.

Chief Electoral Officer to decide what polling divisions are rural or urban respectively.

12. (1) The Chief Electoral Officer has power to decide and he shall so decide, upon the best available evidence, whether any place is an incorporated city or town, and whether it has a population of five thousand or more; all the polling divisions comprised in every such place shall be treated as urban polling divisions.

Exceptions in certain cases.

(2) Whenever it has been represented to the Chief Electoral Officer that the population of any other place is of a transient or floating character, he has power, when requested not later than five days after the issue of the writ for the by-election, to declare, and he shall so declare if he deems it expedient, any or all the polling divisions comprised in such place to be or to be treated as urban polling divisions.

Rural polling divisions.

(3) All other areas comprised in the electoral district shall be treated as rural polling divisions.

### *Supply of Election Materials by Chief Electoral Officer.*

Supplies for returning officer.

13. (1) Whenever it is deemed expedient or, at the latest immediately after the issue of the writ for the by-election, the Chief Electoral Officer shall transmit to the returning officer:

Copies of Act and instructions.

(a) such sufficiently indexed copies of this Act, and such instructions prepared by him, as are required for the proper conduct of a by-election by the returning officer and to enable him to supply to each election officer a copy of such instructions, as such officer may have occasion to consult or observe in the performance of his duties;

Enumeration and revision supplies.

(b) sufficient supplies for enumerators and revising officers including record books, index books and the necessary blank forms;

Blank poll books and other blank election forms.

(c) sufficient election supplies, blank ballot papers, blank poll books and blank forms, including the forms of oaths, for the purposes of the by-election, except Forms Nos. 4, 14, 30, 35 and 65, which the returning officer shall himself cause to be printed; and

Statement of rural and urban areas.

(d) a statement setting forth what portion, or portions, of the electoral district shall be deemed to be urban and rural polling divisions, respectively.

Also stereotype blocks.

(2) Before nomination day the Chief Electoral Officer shall cause to be delivered to the returning officer a sufficient number of stereotype or printer's blocks specially made for the purposes



of the by-election and so designed that an impression made therefrom on the back of the ballot paper will be readily recognizable and will show the name of the electoral district and the year of the by-election.

(3) All letters or mailable matter addressed to the Chief Electoral Officer at Ottawa, or sent by the said Chief Electoral Officer at Ottawa, shall be free of Canadian postage under such regulations as the Postmaster General shall prescribe. Postage free.

#### *Qualifications and Disqualifications of Electors.*

14. (1) Except as hereinafter provided, every person, man Qualifica- or woman, is entitled to have his or her name included in the list of electors prepared for the polling division in which he or she was ordinarily resident on the date of the issue of the writ ordering a by-election in the electoral district, and is qualified to vote in such polling division, if he or she tions.

- (a) is of the full age of twenty-one years or will attain such age on or before polling day at such by-election;
- (b) is a Canadian citizen or other British subject;
- (c) has been ordinarily resident in Canada for the twelve months immediately preceding polling day at such by-election; and
- (d) continues to be ordinarily resident in the electoral district until polling day at such by-election.

(2) The following persons are disqualified from voting at a by-election and incapable of being registered as electors and shall not vote nor be so registered, that is to say, Disqualifi-

- (a) the Chief Electoral Officer;
- (b) the Assistant Chief Electoral Officer;
- (c) the returning officer, except when there is an equality of votes on the official addition of votes or on a recount, as in this Act provided;
- (d) every judge appointed by the Governor in Council;
- (e) every Indian, as defined in the *Indian Act*, ordinarily resident on a reserve, unless,
  - (i) he was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950, or
  - (ii) he executed a waiver, in a form prescribed by the Minister of Citizenship and Immigration, of exemptions under the *Indian Act* from taxation on and in respect of personal property, and subsequent to the execution of such waiver a writ has issued ordering an election;
- (f) every person undergoing punishment as an inmate in any penal institution for the commission of any offence;
- (g) every person who is restrained of his liberty of movement or deprived of the management of his property by reason of mental disease; and
- (h) every person who is disqualified from voting under any law relating to the disqualification of electors for corrupt or illegal practices.

Qualification  
of veteran  
under 21  
years of age.

(3) Notwithstanding anything in this Act, any person who, subsequent to the 9th day of September, 1950, served on active service as a member of the Canadian Forces and has been discharged from such Forces, and who, at a by-election, has not attained the full age of twenty-one years, is entitled to have his name included in the list of electors prepared for the polling division in which he ordinarily resides and is entitled to vote in such polling division, if such person is otherwise qualified as an elector.

Qualification  
of wife of  
Indian  
veteran.

(4) Notwithstanding anything in this Act, a woman who is the wife of an Indian, as defined in the *Indian Act*, who was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950, is entitled to have her name included in the list of electors prepared for the polling division in which she ordinarily resides and is entitled to vote in such polling division, if such a woman is otherwise qualified as an elector.

(5) *Omitted in consolidation.*

Residence  
qualifications  
of members of  
the Canadian  
Forces.

(6) A Canadian Forces elector, as defined in paragraph 20\* of *The Canadian Forces Voting Regulations*, is entitled to vote

(a) at a by-election only at the place of his ordinary residence as shown on the statement made by him under paragraph 22\* of those Regulations, and

(b) *Omitted in consolidation.*

Residence  
qualifica-  
tions of  
Veteran  
electors at a  
by-election.

(7) A Veteran elector, as defined in paragraph 41\* of *The Canadian Forces Voting Regulations*, is entitled to vote at a by-election only in the electoral district in which is situated the place of his actual ordinary residence.

Persons in  
receipt of  
pay dis-  
qualified.

15. (1) Subject to the exceptions stated in subsection (2), every person employed by any person for pay or reward in reference to a by-election in the electoral district in which such person would otherwise be entitled to vote is disqualified from voting and incompetent to vote in such electoral district at such by-election.

Exceptions.

(2) A person is not disqualified from voting at an election of a member to serve in the House of Commons by reason that he is employed for pay or reward in reference to a by-election in the electoral district in which such person would otherwise be entitled to vote, so long as the employment is legal.

Classes of  
persons  
excepted  
and  
limitation  
of number.

(3) Persons who may be legally employed are:

(a) election clerk, revising officers, deputy returning officers, enumerators, poll clerks, messengers, interpreters, constables and persons otherwise necessarily and properly employed by an election officer for the conduct of the by-election;

(b) official agents of candidates;

(c) persons engaged in printing election material on behalf of a candidate; and

\* See pertinent paragraphs of *The Canadian Forces Voting Regulations*, which are printed at pages 264 to 266.

- (d) persons employed, whether casually or for the period of the by-election or part thereof, in advertising of any kind or as clerks, stenographers or messengers on behalf of a candidate, the total number of persons employed under this paragraph not to exceed one for each five hundred electors in the electoral district; the official agent shall communicate the name, address and occupation of every person employed under this paragraph, in writing, to the returning officer who shall, in turn, communicate such name, address and occupation to the deputy returning officer of the appropriate polling station.

*Rules as to the Residence of Electors.*

16. (1) The rules in this section apply to the interpretation of the words "ordinarily resident" and "ordinarily resided" in any section of this Act in which those words are or either of them is used with respect to the right of a voter to vote.

Interpretation of the words "ordinarily resident" and "ordinarily resided."

(2) Subject as provided in the succeeding subsections of this section, the question as to where a person is or was ordinarily resident at any material time or during any material period shall be determined by reference to all the facts of the case.

(3) The place of ordinary residence of a person is, generally, that place which has always been, or which he has adopted as, the place of his habitation or home, whereto, when away therefrom, he intends to return; specifically, when a person usually sleeps in one place and has his meals or is employed in another place, the place of his ordinary residence is where the person sleeps.

"Place of ordinary residence" defined.

(4) A person can have only one place of ordinary residence and it cannot be lost unless or until another is gained; although, generally, a person's place of ordinary residence is where his family is, if he is living apart from his family, with the intent to remain so apart from it in another place, the place of ordinary residence of such person in such other place; temporary absence from a place of ordinary residence does not cause a loss or change of place of ordinary residence.

One place of residence only.

(5) A Canadian Forces elector, as defined in paragraph 20\* of *The Canadian Forces Voting Regulations*, shall be deemed to continue to ordinarily reside in the place of his ordinary residence as shown on the statement made by him under paragraph 22\* of those Regulations.

Members of the Canadian Forces.

(6) }  
(7) } *Omitted in consolidation.*  
(8) }

(9) No person shall be deemed to be ordinarily resident, on the date of the issue of the writ ordering a by-election, in residential quarters that are generally occupied only during some or all of the months of May to October, inclusive, and generally remain unoccupied during some or all of the months of November to April, inclusive.

Summer residents.

\* See pertinent paragraphs of *The Canadian Forces Voting Regulations*, which are printed at pages 264 to 266.



(10) }  
 (11) } *Omitted in consolidation.*

Persons temporarily engaged in public works.

(12) No person shall, for the purpose of this Act, be deemed to be ordinarily resident at the date of the issue of the writ ordering a by-election in an electoral district to which such person has come for the purpose of engaging temporarily in the execution of any federal or provincial public work, or as a resident in any camp temporarily established in connection with any such public work under federal or provincial government control located in such electoral district, unless such person has been in continuous residence therein for at least thirty days immediately preceding the date of the issue of such writ.

Wives or dependants of persons temporarily engaged in public works.

(13) The wife or dependant of a person mentioned in subsection (12) who has come to an electoral district for the purpose of occupying residential quarters during the course and as a result of the services performed by such person, shall not be deemed to be ordinarily resident on the date of the issue of the writ ordering a by-election in such electoral district, unless such wife or dependant has been in continuous residence therein for at least thirty days immediately preceding the date of the issue of such writ.

Person residing in lodgings, hostel, refuge, etc.

(14) No person shall, for the purpose of this Act, be deemed to be ordinarily resident at the date of the issue of the writ ordering a by-election in lodgings, hostels, refuges or similar institutions conducted for charitable or semi-charitable purposes, unless such person has been in continuous residence in such lodgings, hostel, refuge or similar institution, for at least ten days immediately preceding the date of the issue of such writ.

Persons residing in a sanatorium, etc.

(15) A person shall, for the purpose of this Act, be deemed to be ordinarily resident, at the date of the issue of the writ ordering a by-election, in a sanatorium, a chronic hospital, or similar institution for the treatment of tuberculosis or other chronic diseases, if such person has been in continuous residence therein for at least ten days immediately preceding the date of the issue of such writ.

### *Preparation of Lists of Electors.*

Commencement of preparation of lists.

17. (1) The returning officer shall, commencing on Monday, the thirty-fifth day before polling day, cause to be prepared in and for his electoral district, and pursuant to the provisions of this Act, preliminary lists of all persons who are qualified as electors in the urban and rural polling divisions comprised therein.

Urban and rural lists.

(2) In urban polling divisions the lists of electors shall be prepared and revised in accordance with the rules set forth in Schedule A to this section, and in rural polling divisions such lists shall be prepared and revised in accordance with the rules set forth in Schedule B to this section.

List of names of enumerators.

(3) Every returning officer shall prepare a list of the names and addresses of all enumerators appointed by him, and of the polling divisions for which they are to act; such list shall be prepared on the special form prescribed for that purpose, and,

forthwith upon its completion, a copy thereof shall be sent to the Chief Electoral Officer; the returning officer shall post up, and keep posted up, in his office during the period of the preparation of the lists of electors a copy of such list of names and addresses of enumerators, and shall permit any person to inspect such list at all reasonable times.

(4) The returning officer shall, upon receipt of the two copies of the preliminary list of electors from each pair of urban enumerators, pursuant to Rule (15) of Schedule A to this section, and of the preliminary list of electors from every rural enumerator, pursuant to Rule (11) of Schedule B to this section, use one copy of each, respectively, for the printing of the preliminary lists; the second copy of each such list shall be retained by the returning officer and shall be kept available for public inspection at all reasonable hours until the close of the poll on polling day.

Receipt and disposal of copies of preliminary list received from enumerators.

(5) The returning officer shall wherever possible cause the preliminary lists for both urban and rural polling divisions to be printed at a printing establishment situated in or near his electoral district, and shall have the printing thereof completed not later than Saturday, the sixteenth day before polling day; the printing of the preliminary lists of electors shall be in accordance with the specimen forms supplied by the Chief Electoral Officer; the preliminary list of electors for every polling division printed by the returning officer shall bear the name and address of the printer and a certificate by the returning officer that such print accurately sets out all the names, addresses and occupations of the electors as prepared by the enumerator or enumerators for the polling division to which such list relates; the arrangement of names on the lists shall be as follows:

Printing of preliminary lists for urban and rural polling divisions.

- (a) in the case of urban polling divisions, the names of the electors shall be arranged on the printed preliminary lists in geographical order, that is, by streets, roads and avenues, as prepared by the enumerators in Form No. 8, except as provided in subsection (15), in which case the names of the electors shall be arranged alphabetically; notices shall be printed at the top of the preliminary list for each urban polling division, setting forth the necessary details relating to the sittings for revision of the revising officer and the exact location of the polling station established in the urban polling division for the taking of the votes on polling day; and
- (b) in the case of rural polling divisions, the names of the electors shall be arranged on the printed preliminary lists in alphabetical order, as in the preliminary lists prepared by the enumerators in Form No. 24.

Arrangement of names on urban lists, etc.

Arrangement of names on rural lists, etc.

(5a) Where by reason of lack of printing facilities or of time or for any other reason, a returning officer is unable to cause the preliminary list of electors for any polling division to be printed in accordance with the requirements of this Act, he shall, wherever possible and with the prior approval of the Chief Electoral Officer, cause such list to be reproduced by any other means, and a preliminary list so reproduced shall, for the purposes of this Act, be deemed, except in subsections (6) to

Reproduction of preliminary lists where returning officer unable to have them printed.

(8), to be printed; the preliminary list for every polling division reproduced by the returning officer under this subsection shall bear a certificate by the returning officer that such reproduction accurately sets out all the names, addresses and occupations of the electors as prepared by the enumerator or enumerators for the polling division to which such list relates; the arrangement of names on the lists shall be the same as is provided for printed preliminary lists by paragraphs (a) and (b) of subsection (5); where a preliminary list is reproduced in accordance with this subsection, the returning officer shall furnish the Chief Electoral Officer and each candidate with two copies thereof.

Copies of  
printed  
preliminary  
lists for  
candidates.

(6) Immediately after the preliminary lists of electors have been printed, the returning officer shall furnish twenty copies thereof for each polling division in the electoral district to each candidate who has been officially nominated at the by-election.

Copy of  
printed pre-  
liminary list  
to electors  
in urban  
polling  
divisions.

(7) The returning officer shall send a printed copy of the preliminary list of electors for the appropriate urban polling division, not later than Monday, the fourteenth day before polling day, to the electors residing in such polling division whose names appear on such list, in accordance with the following provisions:

- (a) where two or more electors having the same surname (in this subsection called "group of electors") reside in one dwelling place, one copy of such list shall be sent to one of the electors of such group and one copy of the list shall be sent to any other elector residing in that dwelling place and having a surname different from the surname of such group;
- (b) where two or more groups of electors, each group having a different surname, reside in one dwelling place, one copy of such list shall be sent to one of the electors of each of such groups and one copy of the list shall be sent to any other elector residing in that dwelling place and having a surname different from the surname of each such group; and
- (c) in the case of any other dwelling place and in the case of any hotel, hospital, university, college or other institution, one copy of such list shall be sent to each elector residing therein;

and such lists shall be enclosed in sealed envelopes and shall be entitled to pass through the mails free of postage.

Copies of  
preliminary  
lists to  
Chief  
Electoral  
Officer.

(8) The returning officer shall, forthwith after the preliminary lists for the urban and rural polling divisions have been printed, transmit to the Chief Electoral Officer thirty copies of such preliminary lists.

Receipt  
and dis-  
posal of  
copies of  
statement  
of changes  
and  
additions.

(9) The returning officer shall, upon receipt of the two certified copies of the statement of changes and additions for each urban polling division comprised in the revising officer's revisal district, pursuant to Rule (41) of Schedule A to this section, and of the five certified copies of the statement of changes and additions from the enumerator of each rural polling division, pursuant to Rule (20) of Schedule B to this section, keep one copy on file in his office, where it shall be available



for public inspection at all reasonable hours; the returning officer shall immediately transmit or deliver to each candidate officially nominated at the by-election one copy of the statement of changes and additions received from the enumerator of each rural polling division; the returning officer shall also deliver, in the ballot box, one copy of the statement of changes and additions received from the revising officer or from the rural enumerator, together with the preliminary list, to the appropriate deputy returning officer, for use at the taking of the votes on polling day.

(10) In urban and rural polling divisions, the preliminary lists and the statements of changes and additions shall together constitute the official lists of electors, to be used for the taking of the votes on polling day.

(11) If, after the sittings of the revising officer, it is discovered that the name of an elector, to whom a notice in Form No. 7 has been duly issued by the enumerators, has, through inadvertence, been left off the official list for an urban polling division, the returning officer shall, on an application made in person by the elector concerned, upon the production by such elector of the notice in Form No. 7 issued to him and signed by the two enumerators, and upon ascertaining from the carbon copy contained in the enumerators' record books in his possession that such an omission has actually been made, issue to such elector a certificate in Form No. 20 entitling him to vote at the polling station for which his name should have appeared on the official list; the returning officer shall, at the same time, send a copy of such certificate to the deputy returning officer concerned and to each of the candidates officially nominated at the by-election, or to his representative, and the official list of electors shall, for all purposes, be deemed to have been amended in accordance with such certificate; no such certificate shall be issued by the returning officer in the case of a name struck off the printed preliminary lists of electors by the revising officer during his sittings for revision.

(12) If, after the sittings of the revising officer, it is discovered that the name of an elector who has personally applied to a revising officer, or on whose behalf a sworn application has been made by an agent, pursuant to Rule (33) of Schedule A to this section, to have his name included in the list of electors, and whose application has been duly accepted by the revising officer during his sittings for revision, was thereafter inadvertently left off the official list of electors, the returning officer shall, on an application made in person by the elector concerned, and upon ascertaining from the revising officer's record sheets in his possession that such an omission has actually been made, issue to such elector a certificate in Form No. 21, entitling him to vote at the polling station for which his name should have appeared on the official list; the returning officer shall, at the same time, send a copy of such certificate to the deputy returning officer concerned and to each of the candidates officially nominated at the by-election, or to his representative, and the official list of electors shall be deemed for all purposes to have been amended in accordance with such certificate.

Penalty for  
illegal  
arrange-  
ments with  
regard to  
election  
printing.

(13) Every returning officer, or other person who, before, during or after a by-election, directly or indirectly, or by any other means or device or attempted evasion of the following provision

- (a) requests, demands, accepts or agrees to accept monetary or other reward of any kind as consideration for the granting of a contract or an order of any kind for the printing of the lists of electors or other election documents required to be printed pursuant to the provisions of this Act, or
- (b) pays, agrees or promises to pay or gives or agrees or promises to give any monetary or other reward of any kind as consideration for the granting of a contract or an order of any kind for the printing of the lists of electors or other election documents required to be printed pursuant to the provisions of this Act

is guilty of an indictable offence against this Act and liable on indictment or on summary conviction to a fine not exceeding one thousand dollars and costs of prosecution, and, if the fine and costs imposed are not paid forthwith, to imprisonment, with or without hard labour, for such term as such fine and costs or either remain unpaid, not exceeding six months.

Conditions.

(14) Before an account relating to the printing of the lists of electors is taxed by the Chief Electoral Officer

Affidavit  
of printer.

- (a) the printer shall transmit to the Chief Electoral Officer, through the returning officer, an affidavit in Form No. 10 setting forth that he has not, nor has anyone for him and on his behalf, paid, agreed or promised to pay, given or promised to give, any monetary or other reward to the returning officer, or to any person on the latter's behalf, as consideration for the granting of an order of any kind for the printing of such lists of electors, and

Affidavit of  
returning  
officer.

- (b) the returning officer shall transmit to the Chief Electoral Officer an affidavit in Form No. 11 setting forth that he has not, nor has any person for him and on his behalf, received or requested, demanded, accepted or agreed to accept, any monetary or other reward from any person whatsoever, as consideration for the granting of an order of any kind for the printing of the lists of electors for his electoral district.

Urban lists  
alphabet-  
ically  
arranged in  
some cases.

(15) In every urban polling division wholly composed of a large institution, or comprised in an incorporated city or town having a population of five thousand or more, or in any other place where the polling divisions have been declared urban by the Chief Electoral Officer, pursuant to subsection (2) of section 12, and in which the territory is not designated by streets, roads, or avenues, or in which the residences of the electors are not designated by street, road or avenue numbers, the returning officer shall instruct each pair of enumerators to prepare a complete list of all the names, addresses and occupations of the persons who are qualified as electors in such urban polling division, in alphabetical order, as in Form No. 24.

(16) Every person who applies under this Act to be included in any list of electors in the name of some other person, whether such name be that of a person living or dead, or of a fictitious person, or who, having once to his knowledge been properly included in any list of electors under this Act as an elector entitled to vote at a by-election, applies to be included in any list of electors prepared for another polling division as an elector entitled to vote at the same by-election, is guilty of the offence of personation, and liable to the penalties imposed in this Act upon persons guilty of that offence. Penalty for personation.

(17) In addition to any other penalty to which he may be liable under this Act, any enumerator who, wilfully and without reasonable excuse, includes in any list of electors prepared by him the name of any person whose name he has not good reason to believe should be included, or omits to include in such list the name of any person whom he has good reason to believe has the right to have his name included, is guilty of an offence punishable on summary conviction as in this Act provided. Liability of enumerators.

(18) Every person who impedes or obstructs an enumerator in the performance of his duties under this Act is guilty of an offence and is liable, on summary conviction, to a fine of not less than ten dollars and not more than fifty dollars. Penalty for obstructing enumerator in performance of duties.

#### SCHEDULE A to SECTION 17.

##### *Preparation of Lists of Electors in Urban Polling Divisions.*

###### ENUMERATION.

*Rule (1).* As soon as possible after the receipt by him of notice from the Chief Electoral Officer that a writ for a by-election has been issued for his electoral district, the returning officer shall appoint, in writing in Form No. 5, two persons in each polling division to enumerate the electors therein, and shall require each of such persons to take an oath in Form No. 6 that he will act faithfully in the capacity of enumerator without partiality, fear, favour or affection and in every respect according to law; each enumerator so appointed shall be a person qualified as an elector at the by-election.

*Rule (2).* The returning officer shall, as far as possible, select and appoint the two enumerators of each urban polling division so that they shall represent two different and opposed political interests.

*Rule (3).* At least five days before he proposes to appoint the persons who are to act as enumerators as aforesaid, the returning officer shall

- (a) give notice accordingly to the candidate who, at the last preceding election in the electoral district, received the highest number of votes, and also to the candidate representing at that election a different and opposed political interest, who received the next highest number of votes; such candidates may each, by himself or by a representative, nominate a fit and proper person for appointment as enumerator for every urban polling division comprised in the electoral district, and, except



- as provided in Rule (4), the returning officer shall appoint such persons to be enumerators for the polling divisions for which they have been nominated; and
- (b) in an electoral district where at the last preceding election there was opposed to the candidate elected no candidate representing a different and opposed political interest, or if, for any reason, either of the candidates mentioned in clause (a) of this Rule is not available to nominate enumerators or to designate a representative as aforesaid, the returning officer shall, with the concurrence of the Chief Electoral Officer, determine which candidates or persons are entitled to nominate urban enumerators, and then proceed with the appointment of such enumerators as above directed.

*Rule (4).* If the returning officer deems that there is good cause for his refusing to appoint any person so nominated, he shall so notify the nominating candidate or his representative, who may within twenty-four hours thereafter nominate a substitute to whom the provisions of Rule (2), and of this Rule, shall apply; if no substitute is nominated as aforesaid, or if the returning officer deems there is good cause for his refusing to appoint any person thus nominated as a substitute, the returning officer shall, subject to the provisions of Rule (2), himself select and appoint to any necessary extent.

*Rule (5).* If either of the candidates or persons entitled to nominate enumerators fail to nominate a fit and proper person for appointment as enumerator for any urban polling division comprised in the electoral district, the returning officer shall, subject to the provisions of Rule (2), himself select and appoint enumerators to any necessary extent.

*Rule (6).* The two enumerators appointed for each urban polling division shall, with relation to every process of the preparation of their list of electors, act jointly and not individually; they shall report forthwith to the returning officer who appointed them the fact and the details of any disagreement between them; the returning officer shall decide the matter of difference and shall communicate his decision to the enumerators; they shall accept and apply it as if it had been originally their own; the returning officer may at any time replace any urban enumerator appointed by him by appointing, subject to the provisions of Rule (2), another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall, upon request in writing signed by the returning officer, deliver or give up to the subsequent appointee or to any other authorized person, any election documents, papers and written information which he has obtained for the purpose of the performance of his duties; and on default he is guilty of an offence punishable on summary conviction as in this Act provided.

*Rule (7).* Each pair of enumerators, after taking their oaths as such, shall, on Monday, the thirty-fifth day before polling day, proceed jointly to ascertain the name, address and occupation of every person qualified to vote at the by-election, under the provisions of sections 14, 15 and 16, in the polling division for which they have been appointed, obtaining the information they may require by a joint house-to-house visitation

and from such other sources of information as may be available to them, and leaving at the residence of every person whose name and particulars they have agreed to include in their preliminary list, a notice in Form No. 7, signed by both enumerators, which shall be detached from the enumerators' record books.

*Rule (8).* When making his house-to-house visitation, pursuant to Rule (7), each enumerator shall wear and prominently display an urban enumerator's badge provided by the Chief Electoral Officer as evidence of his authority to register the names of the electors residing in the polling division; any enumerator wearing such badge at any other time or any person wearing the said badge without authority or wearing any other badge purporting to be an enumerator's badge, is guilty of an offence against this Act, punishable on summary conviction as in this Act provided.

*Rule (9).* Each pair of enumerators shall visit every dwelling place in their polling division at least twice,—once between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, and once between the hours of seven o'clock and ten o'clock in the evening (unless, as to any dwelling place, they are both satisfied that no qualified elector residing therein remains unregistered); if, on the above mentioned visits to any dwelling place, the enumerators are unable to communicate with any person from whom they could secure the names and particulars of the qualified electors residing thereat, the enumerators shall leave at such dwelling place a notification card, as prescribed by the Chief Electoral Officer, on which it shall be stated the day and hour that the enumerators shall make another visit to such dwelling place; the enumerators shall also state on such notification card their names, addresses, and telephone number, if any, of one or of both of them.

*Rule (10).* Each pair of enumerators shall exercise the utmost care in preparing the list of electors for the polling division for which they have been appointed; they shall take all necessary precautions to ensure that their list, when complete, contains the name, occupation and address of every qualified elector in the polling division for which they have been appointed, and that it does not contain the name of any person who is not so qualified.

*Rule (11).* Enumerators who, wilfully and without reasonable excuse, omit from their list of electors the name of any person entitled to have his or her name entered thereon, or enter on the said list the name of any person who is not entitled to have his or her name entered thereon, shall, in addition to any other punishment to which they may be liable, forfeit their right to payment for their services as enumerators.

*Rule (12).* Upon receipt of the enumerators' record books and of the two copies of the preliminary list of electors from each pair of enumerators, the returning officer shall carefully examine the same and if, in his judgment, the said list is incomplete or contains the name of any person whose name should not be included in the list, he shall not certify to the enumerators' account, and shall forward such account uncertified to the Chief Electoral Officer with a special report attached thereto stating the relevant facts; moreover, the Comptroller of the Treasury shall not issue a cheque in payment of an urban enumerator's

account until after the revision of the preliminary lists of electors has been completed, and it is the duty of the revising officer, forthwith after his sittings for revision, to inform the Chief Electoral Officer, if, in his judgment, any enumerator has wrongfully and wilfully omitted any name or names from the said list, or wrongfully and wilfully included any name or names therein.

*Rule (13).* On Friday, the thirty-first day before polling day, each pair of enumerators shall prepare a complete list of the names, addresses and occupations of the persons who are qualified as electors in the polling division for which they have been appointed; such list shall be prepared, in all urban polling divisions, in geographical order, that is, by streets, roads and avenues, as in Form No. 8, except when otherwise directed by the returning officer pursuant to subsection (15) of section 17; the enumerators shall also prepare in like form a sufficient number of copies of such list to comply with Rules (15) and (16).

*Rule (14).* The enumerators shall, on the preliminary list of electors, as indicated on Form No. 8, register the name of a married woman or widow under the name and surname of her husband or deceased husband, or under her own christian name if she so desires; whenever a woman is divorced or living apart from her husband, she shall be registered on the said list under whatever name and surname that such woman is known in the polling division; the names of the above mentioned women on the said list shall be prefixed with the abbreviation "Mrs.", as indicated on the said Form No. 8; when the name of a married woman is entered on the said list immediately below her husband's name, there shall be no occupation given opposite such woman's name, as indicated on the said Form No. 8; the names of unmarried women on the said list shall be prefixed with the word "Miss", as indicated on the said Form No. 8.

*Rule (15).* Upon completion of the foregoing requirements and not later than Friday, the thirty-first day before polling day, each pair of enumerators shall deliver or transmit to the returning officer who appointed them at least two plainly written or typewritten copies of the preliminary list of electors for the polling division for which they were appointed, together with their record books containing the carbon copies of the notices in Form No. 7; each of such copies of the list shall be severally sworn to by both enumerators in Form No. 9.

*Rule (16).* The enumerators shall also, on the same day as that whereon, pursuant to Rule (15), they transmit or deliver copies of their preliminary list of electors to the returning officer, post up or cause to be posted up one copy thereof in a conspicuous place within their polling division to which the public has access.

*Revision of Lists of Electors in Urban Polling Divisions.*

*Rule (17).* For every urban polling division, the judge as defined in subsection (15) of section 2 is the *ex officio* revising officer.

*Rule (18).* Forthwith upon being advised by the returning officer of the issue of a writ for a by-election in an electoral district comprising urban polling divisions and included within an area under his jurisdiction, the *ex officio* revising officer shall appoint in writing, in Form No. 12, a substitute revising officer



for every revisal district, as hereafter established by the returning officer, for which the *ex officio* revising officer is not prepared to himself revise the list of electors for the pending by-election; every substitute revising officer thus appointed shall be a person qualified as an elector in the electoral district within which he is to act; every such substitute revising officer shall, immediately after his appointment, be sworn to the faithful and impartial performance of his duties; the substitute revising officer's oath shall be in Form No. 13, and it shall be subscribed before a judge of any court, the returning officer or a commissioner for taking affidavits within the province; the *ex officio* revising officer shall transmit to the returning officer a copy of the form of appointment and oath of every substitute revising officer as soon as it has been completed; the *ex officio* revising officer shall certify to the correctness of the accounts submitted by the substitute revising officers appointed by him.

*Rule (19).* Every revising officer, for the purpose of the performance of his duties, has the same powers as would be exercisable by the *ex officio* revising officer when sitting in court, and, subject as in this Act provided and to such instructions as may be given by the Chief Electoral Officer, shall regulate the procedure in all matters coming before him in such manner as he shall see fit.

*Rule (20).* The returning officer shall, as soon as he conveniently can after the receipt by him of notice of the issue of a writ ordering a by-election in his electoral district, group together the urban polling divisions comprised in his electoral district into revisal districts, each containing such number of urban polling divisions as the Chief Electoral Officer may direct, and shall prepare descriptions of such revisal districts.

*Rule (21).* The returning officer shall also secure for each revisal district a convenient place properly furnished, lighted and heated, in which the revising officer shall sit for the revision of the list of electors; the place where the revising officer sits as such shall hereafter in these rules be termed the "revisal office".

*Rule (22).* The returning officer shall then communicate with the *ex officio* revising officer and shall ascertain from him whether he will himself revise the lists of electors for any, and if any, what revisal district, and such *ex officio* revising officer shall thereupon notify the returning officer of the revisal district for which he will himself revise the lists, and of the names of such other persons, if any, as are or will be appointed by him as substitute revising officers to revise the lists for any other revisal districts, indicating the revisal districts for which such other persons, if any, will act.

*Rule (23).* Forthwith on receipt of the notification mentioned in Rule (22), the returning officer shall, not later than Saturday, the sixteenth day before polling day, cause to be printed a notice of revision in Form No. 14 listing the numbers of the polling divisions comprised in every revisal district established by him, giving the name of the revising officer appointed for each thereof, setting out the revisal office at which such revising officer will attend for the revision of the lists of electors and stating the days and times during which such revisal office will be open; at least four days before the first day fixed for

the sittings for revision, the returning officer shall cause two copies of such notice to be posted up in conspicuous places in each urban polling division comprised in his electoral district; immediately after the printing of the notice in Form No. 14, the returning officer shall transmit or deliver five copies thereof to every candidate officially nominated at the pending by-election, and, at the discretion of the returning officer, to every other person reasonably expected to be so nominated or to his representative.

*Rule (24).* Before ten o'clock in the forenoon of the day when the sittings for revision commence, the revising officer of each revisal district shall cause an additional five copies of the notice mentioned in Rule (23) to be posted up outside of and near to the revisal office where he will sit to revise the lists; the revising officer shall see that the latter copies are replaced as circumstances require in order that the specified number of copies may remain duly posted up during the days of sittings for revision.

*Rule (25).* The returning officer shall furnish to each revising officer at least three copies of the printed preliminary list of electors for every polling division comprised in his revisal district and shall also furnish the required number of copies of the notice of revision in Form No. 14, together with the necessary supplies.

*Rule (26).* The sittings of the revising officers for the revision of the lists of electors shall be held on Thursday, Friday and Saturday, the eleventh, tenth and ninth days before polling day, and, subject to Rule (36), on Tuesday, the sixth day before polling day; such sittings shall commence at ten o'clock in the forenoon on those days and shall continue for at least one hour and during such time thereafter as may be necessary to deal with the business ready to be disposed of; moreover, on each of those days, every revising officer shall sit at his revisal office for the revision of the lists of electors from seven o'clock to ten o'clock in the evening; if any of those days is a holiday as defined in the *Interpretation Act*, the day for the commencement or continuation of the sittings for revision may be postponed accordingly.

*Rule (27).* At the sittings for revision on Thursday, Friday and Saturday, the eleventh, tenth and ninth days before polling day, the revising officer shall have jurisdiction to and shall dispose of

- (a) personal applications made by electors whose names were omitted from the preliminary list;
- (b) sworn applications made by agents, on Forms Nos. 17 and 18, on behalf of persons claiming the right to have their names included in the official list of electors, pursuant to Rule (33); and
- (c) verbal applications for the correction of names or particulars of electors appearing on the preliminary list.

*Rule (28).* During the sittings for revision on Thursday and Friday, the eleventh and tenth days before polling day, whenever an elector whose name appears on the preliminary list of electors prepared in connection with a pending by-election for one of the polling divisions comprised in a given revisal

district subscribes to an Affidavit of Objection in Form No. 15 before the revising officer appointed for such revisal district alleging the disqualification as an elector at the pending by-election of a person whose name appears on one of such preliminary lists, the revising officer shall, not later than Friday, the tenth day before polling day, transmit, by registered mail, to the person, the appearance of whose name upon such preliminary list is objected to, at his address as given on such preliminary list and also at the other address, if any, mentioned in such affidavit, a Notice to Person Objected to, in Form No. 16, advising the person mentioned in such affidavit that he may appear personally or by representative before the said revising officer during his sittings for revision on Tuesday, the sixth day before polling day, to establish his right, if any, to have his name retained on such preliminary list; with each copy of such notice, the revising officer shall transmit a copy of the relevant Affidavit of Objection.

*Rule (29).* In cases of objections made on affidavits subscribed before the revising officer under Rule (28), of which notices have been sent by registered mail by the revising officer to the persons objected to, the revising officer shall deal with each objection separately upon the merits to be disclosed by examination on oath of the elector making the objection, the person against whom the objection is made, and the witnesses present on their respective behalf; after each objection is dealt with, the revising officer shall, in his discretion, either strike off the name of the person objected to from the preliminary list on which such name appears or allow the name to stand; the onus of substantiating sufficient *prima facie* ground to strike off any name from the preliminary list shall be upon the elector making the objection, and it shall not be necessary for the person against whom objection is made to adduce proof in the first instance that his name properly appears on the preliminary list; the absence from or non-attendance before the revising officer, at the time that the objection is dealt with, of the person against whom an objection is made does not relieve the elector making the objection from substantiating a *prima facie* case by evidence that, in the absence of rebuttal evidence, is considered by the revising officer sufficient to establish the fact that the name of the person objected to improperly appears on the preliminary list.

*Rule (30).* The revising officer shall revise the preliminary lists of electors to which his appointment relates in accordance with the provisions of this Act and particularly in accordance with the following Rules.

*Rule (31).* During the sittings for the revision of the list of electors, every revising officer shall keep a record, in the special form prescribed by the Chief Electoral Officer, upon which each application, as it is made, and its disposition, shall be noted; such record shall be termed the "Revising Officer's Record Sheets".

*Rule (32).* Any person claiming to be entitled to be registered as an elector in any revisal district may apply in person, without previous notice, before the revising officer to have his name entered on the appropriate official list of electors at the sittings of the revising officer for such revisal district on Thursday,



Friday and Saturday, the eleventh, tenth and ninth days before polling day, and if such person answers to the satisfaction of the revising officer all such relevant questions as the revising officer deems necessary and proper to put to him, the revising officer shall insert the name and particulars of the applicant in the revising officer's record sheets as an accepted application for registration in the official list of electors of the polling division where such person ordinarily resides.

*Rule (33).* In the absence of and as the equivalent of personal attendance before him of a person claiming to be registered as an elector, the revising officer may, at the sittings for revision held by him on Thursday, Friday and Saturday, the eleventh, tenth and ninth days before polling day, accept, as an application for registration made by an agent, from any person appearing before him who is an elector and whose name appears on the printed preliminary list for one of the polling divisions comprised in the electoral district in which the revising officer's revisal district is situated, a sworn application of that elector in Form No. 17 exhibiting an application in Form No. 18, signed by the person who desires to be registered as an elector; if such person is then temporarily absent from the place of his ordinary residence, a sworn application may be made in the alternative Form No. 18 by a relative by blood or marriage, or by his employer, and in such event the revising officer may, if satisfied that the person on whose behalf the application is made is qualified as an elector, insert the name and particulars of that person in the revising officer's record sheets as an accepted application for registration on the official list of electors for the polling division where such person ordinarily resides; the two applications shall be printed on the same sheet and shall be kept attached.

*Rule (34).* If the revising officer entertains a doubt as to whether any application for registration, as mentioned in Rule (33), should be allowed, he shall not accept such application but the applicant may appear in person or by agent before the revising officer at any time during his sittings as such, for the purpose of proving his, the applicant's right to be registered as an elector; and if he fails to appear personally or by agent, or fails to produce satisfactory proofs, the revising officer may refuse the application.

*Rule (35).* The revising officer shall consider all verbal applications for correction of mistakes in names, or in descriptions of residences or occupations appearing in any printed list of electors relating to his revisal district and, upon satisfactory evidence being furnished to him, he shall enter the particulars of the correction in his record sheets as an accepted application for correction to be made in the appropriate official list of electors.

*Rule (36).* Where under Rule (28) any objection has been made on oath in Form No. 15 to the retention of the name of any person on the preliminary list and the revising officer has given notice under that Rule to the person of such objection in Form No. 16, the revising officer shall hold sittings for revision on Tuesday, the sixth day before polling day; during his sittings for revision on that day, the revising officer has jurisdiction to

and shall determine and dispose of all such objections of which he has so given notice; if the revising officer has given no such notice he shall not hold any sitting for revision on the Tuesday aforesaid.

*Rule (37).* Whenever the language of any applicant is not understood by the revising officer, an interpreter may be sworn and may act.

*Rule (38).* The revising officer shall permit to be present in the revisal office two representatives of each recognized political interest in the electoral district, but no such representative, except with the permission of the revising officer, has any right to take part or intervene in the proceedings.

*Rule (39).* The revising officer shall, while sitting as such, be a conservator of the peace and have and possess the same powers as a justice of the peace in his province; he may appoint, if necessary, a constable or constables for the maintenance of order in his revisal office and for the arrest and detention of persons who are guilty of the personation of others, or of attempting to personate others, or who impede or improperly interrupt his proceedings or create a disturbance.

*Rule (40).* The revising officer shall, immediately after the conclusion of his sittings for revision, prepare from his record sheets, for each polling division comprised in his revisal district, five copies of the statement of changes and additions for each candidate officially nominated at the by-election and two copies for the returning officer, and shall complete the certificate printed at the foot of each copy thereof; if no changes or additions have been made in the preliminary list for any polling division, the revising officer shall nevertheless prepare the necessary number of copies of the statement of changes and additions by writing the word "Nil" in the three spaces provided for the various entries on the prescribed form, and by completing the said form in every other respect.

*Rule (41).* Upon the completion of the foregoing requirements, and not later than Wednesday, the fifth day before polling day, the revising officer shall deliver or transmit to each candidate officially nominated at the by-election the five copies, and to the returning officer the two copies, of the statement of changes and additions for each polling division comprised in his revisal district, certified by the revising officer pursuant to Rule (40); in addition he shall deliver or transmit to the returning officer the record sheets, duly completed, the duplicate notices to persons objected to, with attached affidavits in Forms Nos. 15 and 16, respectively, every used application made by agents in Forms Nos. 17 and 18, respectively, and all other documents in his possession relating to the revision of the lists of electors for the various polling divisions comprised in his revisal district.

#### SCHEDULE B TO SECTION 17.

##### *Preparation of Lists of Electors in Rural Polling Divisions.*

###### ENUMERATION.

*Rule (1).* As soon as possible after he has been notified of the issue of the writ for a by-election in his electoral district, the returning officer shall, by writing in Form No. 5, appoint

a person to be enumerator for each rural polling division in the electoral district; such person shall be qualified as an elector and resident in the polling division for which he has been appointed.

*Rule (2).* If it is impossible promptly to secure the services of a resident person who is qualified to act, an enumerator may be appointed to act in a rural polling division although he is not resident therein; in any event, the enumerator must be a person qualified as an elector at the by-election.

*Rule (3).* Every enumerator shall forthwith on his appointment take the oath of office in Form No. 6, and shall immediately thereafter post up in conspicuous places in his polling division at least three copies of the notice of rural enumeration, in Form No. 22, stating that he is about to prepare a preliminary list of the qualified electors in such polling division, which said list will be revised and corrected by him at a place stated in the said notice where he will be found between the hours of ten o'clock in the forenoon and ten o'clock in the evening of Thursday, the eighteenth day before polling day.

*Rule (4).* The enumerator of each rural polling division shall, after posting such notice and beginning on Monday, the thirty-fifth day before polling day, proceed to prepare a preliminary list of all the persons who are qualified as electors under the provisions of sections 14, 15 and 16, in his polling division; such list shall be prepared from such information as the enumerator may be able to secure by a house-to-house visitation in the polling division or from such other sources of information as may be available to him and can be conveniently used.

*Rule (5).* The names, addresses and occupations of all electors, men and women, who are included by the enumerator in such list shall be written in an index book in Form No. 23, with the names of the electors grouped according to the initial letter of their respective surnames, the post office address and occupation of each being fully stated.

*Rule (6).* The enumerator shall, in the index book, as indicated in Form No. 24, register the name of a married woman or widow under the name and surname of her husband or deceased husband, or under her own christian name if she so desires; whenever a woman is divorced or living apart from her husband, she shall be registered in the index book under whatever name and surname that such woman is known in the polling division; the names of the above mentioned women in the index book shall be prefixed with the abbreviation "Mrs.", as indicated on the said Form No. 24; when the name of a married woman is entered in the index book immediately below her husband's name, there shall be no occupation given opposite such woman's name, as indicated on the said Form No. 24; the names of unmarried women in the index book shall be prefixed with the word "Miss", as indicated on the said Form No. 24.

*Rule (7).* Every enumerator shall exercise the utmost care in preparing the list of electors for the polling division for which he has been appointed; he shall take all necessary precautions to make certain that his list, when complete, contains the name,



address and occupation of every person who is qualified as an elector in the polling division, and that it does not contain the name of any person who is not so qualified.

*Rule (8).* Any enumerator who, wilfully and without reasonable excuse, omits from his list of electors the name of any person entitled to have his or her name entered thereon, or enters on the said list the name of any person who is not entitled to have his or her name entered thereon, shall, in addition to any other punishment to which he may be liable, forfeit his right to payment for his services and expenses as enumerator.

*Rule (9).* Upon receipt of the two copies of the preliminary list of electors, as prescribed in Rule (11), or of the index book, as prescribed in Rule (20), the returning officer shall carefully examine the same and if in his judgment the said preliminary list or the index book appears to be incomplete or to contain the name of any person which should not be so included, he shall not certify the account of the enumerator concerned, and the account shall be sent uncertified to the Chief Electoral Officer, with a special report attached thereto, setting forth the relevant facts.

*Rule (10).* As soon as possible after six o'clock in the afternoon of Thursday, the thirty-second day before polling day, each rural enumerator shall complete the preliminary list of electors for the polling division for which he has been appointed, and not later than Friday, the thirty-first day before polling day, he shall prepare in alphabetical order as in Form No. 24, four plainly written or typewritten copies of such preliminary list, and shall complete the certificate printed at the foot or end of the last sheet of the said Form No. 24 used to prepare each of such copies.

*Rule (11).* The enumerator shall, forthwith after compliance with Rule (10), and not later than Friday, the thirty-first day before polling day, post up one certified copy of his preliminary list of electors, at the place within the polling division at which he intends to remain to revise such preliminary list, as indicated in Rule (3); he shall attach to such preliminary list one completed copy of the notice of rural enumeration in Form No. 22; he shall also on the same day transmit or deliver to the returning officer at least two plainly written or typewritten copies of such preliminary list; to one of the said copies the enumerator shall attach one completed copy of the said notice of rural enumeration; the enumerator shall retain in his possession one copy of the said preliminary list, which shall be kept available for inspection by any interested person at all reasonable times.

#### *Revision of Lists of Electors for Rural Polling Divisions.*

*Rule (12).* Omitted in consolidation.

*Rule (13).* In order that he may readily be found by any person who desires to make representations with regard to any entry in or omission from the preliminary list of electors for his polling division, the enumerator shall attend at the place of which he has given notice, in Form No. 22 posted up as aforesaid, between the hours of ten o'clock in the forenoon and ten o'clock

in the evening of Thursday, the eighteenth day before polling day, set for the revision of the said preliminary list.

*Rule (14).* The enumerator shall permit to be present in the place of revision one representative of each recognized political interest in the electoral district, but no representative, except with the permission of the enumerator, has any right to take part or intervene in the proceedings.

*Rule (15).* Each rural enumerator shall revise the preliminary list of electors in the index book for his polling division in accordance with the provisions of this Act and particularly in accordance with the following Rules.

*Rule (16).* At any time after the enumerator has posted up his preliminary list, and particularly between the hours of ten o'clock in the forenoon and ten o'clock in the evening of Thursday, the eighteenth day before polling day, at the place stated for the revision of the said list in the notice of rural enumeration posted up by him pursuant to Rule (3), on being satisfied from representations made to him by any credible person that the preliminary list as prepared by him in the index book requires amendment as hereinafter mentioned, the enumerator shall

- (a) add to such list in the index book the name of any person who is qualified as an elector in his polling division at the by-election, but whose name has been omitted from the preliminary list;
- (b) strike off from such list in the index book the name of any person who is not qualified as an elector in his polling division; or
- (c) correct in the index book any inaccurate entry as to the name, address, or occupation of any elector whose name appears on the said list.

*Rule (17).* Any change that the enumerator makes in the preliminary list of electors shall be made by correcting the index book with ink of a colour different from that which was used in its preparation.

*Rule (18).* Every correction made by the enumerator as aforesaid in the preliminary list of electors in the index book, by the addition, striking out or correction of any entry therein, shall be initialled and dated by him in the remarks column on the same line immediately after such correction is made.

*Rule (19).* The enumerator shall then prepare at least six copies of the statement of changes and additions, in Form No. 26, made by him in the preliminary list of electors for his polling division, as shown by the entries in the index book made after the said preliminary list has been posted up, and shall complete the certificate printed at the foot or end of each copy of such statement; if no changes or additions have been made in the preliminary list as posted up, the enumerator shall nevertheless prepare the necessary number of copies of the statement of changes and additions in Form No. 26 by writing the word "Nil" in the three blank spaces provided for the various entries on the said form, and completing the form in every other respect.

*Rule (20).* Upon the completion of the foregoing requirements and not later than Friday, the seventeenth day before polling day, the enumerator shall transmit to the returning officer the index book duly certified, in Form No. 25, which certificate shall be printed on the outside back cover of the said index book, and all other documents in his possession relating to the revision of the list of electors for his polling division; the enumerator shall also transmit at the same time to the returning officer five certified copies of the statement of changes and additions mentioned in Rule (19).

*Rule (21).* In polling divisions in which only one polling station has been established, the printed (or, where it has been found impossible to print, the written or typewritten) preliminary list of electors and the statement of changes and additions in Form No. 26, shall together constitute the official list of electors to be used for the taking of the vote on polling day at the by-election at the polling station in the polling division for which the enumerator has been appointed to act; and in polling divisions in which more than one polling station has been established, the appropriate portion of the printed (or, where it has been found impossible to print, the written or typewritten) preliminary list of electors together with the appropriate special statement of changes and additions certified by the returning officer, pursuant to subsection (7) of section 33, shall together constitute the official list of electors to be used for the taking of the vote at each of such polling stations.

*Rule (22).* In very remote polling divisions where the postal service is such that it is doubtful if the preliminary list of electors or the statement of changes and additions can be sent by the returning officer to the appropriate deputy returning officer in time for polling day at the by-election, the Chief Electoral Officer may direct that the written or typewritten preliminary list of electors, or one copy of the statement of changes and additions, or both, as prepared by the enumerator, shall be delivered or transmitted by the enumerator direct to the deputy returning officer concerned; in such cases the deputy returning officer shall, for the taking of the vote, use the written or typewritten list of electors, or the statement of changes and additions, or both, as the case may be, as though he had received them or either of them direct from the returning officer.

*Rule (23).* Each enumerator shall retain in his possession one copy of the preliminary list of electors and one copy of the statement of changes and additions made therein, which said copies he shall permit to be inspected at any reasonable time by any elector who asks to be permitted to inspect the same.

*Rule (24).* Enumerators are subject to and shall in all respects abide by and carry out the directions of the returning officer; the returning officer may at any time replace any enumerator appointed by him by appointing another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall upon request in writing, signed by the returning officer, deliver or give up to the subsequent appointee or to any other authorized person, any instructions, list of electors, index book or other papers and information which



he has obtained or prepared for the purpose of the performance of his duties; on default, he is guilty of an offence punishable on summary conviction as provided in this Act.

*Proclamation by Returning Officer.*

Proclama-  
tion by  
returning  
officer.

To be mailed  
to post-  
masters.

18. (1) Within two days after the receipt of the writ ordering a by-election or within six days after he has been notified by the Chief Electoral Officer of the issue of such writ, whichever is the sooner, the returning officer shall issue a proclamation in Form No. 4 under his hand in the English and French languages in any electoral district in the Provinces of Quebec and Manitoba, and in the English language only in any other electoral district, and shall mail one copy at least to the various postmasters of the post offices within his electoral district, and such proclamation shall indicate

- (a) the place and time fixed for the nomination of candidates (which shall be held at a court house, a city or town hall, or some other public or private building in the most central or most convenient place for the majority of the electors in the electoral district);
- (b) the day on which the poll for taking the votes of the electors is to be held, in case a poll is demanded;
- (c) the time when and the place where the returning officer will add up the number of votes given to the several candidates;
- (d) what portion or portions of the electoral district are to be deemed to be urban and rural polling divisions, respectively; and
- (e) an exact description of the place in the electoral district where the returning officer has established his office;

the returning officer shall at the same time notify in writing each postmaster of the provisions of subsection (5).

Electoral  
districts of  
Yukon and  
Mackenzie  
River.

(2) In the electoral districts of Yukon and Mackenzie River it is sufficient compliance with subsection (1), if, at least six days before the day fixed for the nomination of candidates, the returning officer causes such proclamation to be inserted in one newspaper published in Dawson, and in one newspaper, if any, published in Whitehorse and in Yellowknife, and mails one copy of such proclamation to such postmasters within his electoral district as, in his judgment and in accordance with his knowledge of the prevailing conditions, will probably receive the same at least six clear days before nomination day.

Inadvertent  
omission.

(3) Inadvertent omission on the part of the returning officer to mail such proclamations or any thereof in time or to mail them to a number less than one-tenth of the postmasters within the electoral district shall not be deemed non-compliance with the provisions of this section.

Copies of  
proclamation.

(4) As soon as the proclamation is printed, the returning officer shall deliver or send by mail five copies thereof to each person who is, or at the election last held in the electoral district was, a candidate for election.

Postmaster  
to post up  
proclamation.

(5) Every postmaster shall, forthwith after receipt of such proclamation, post it up in some conspicuous place within his office to which the public has access and maintain it posted there

until the time fixed for the nomination of candidates has passed, and failure to do so is ground for his dismissal from office, and for the purposes of this provision such postmaster shall be deemed an election officer and liable as such.

*Qualifications of Candidates.*

19. Except as in this Act otherwise provided, any person, Qualifications of candidates.  
man or woman, who
- (a) is a Canadian citizen or other British subject,
  - (b) is a qualified elector, and
  - (c) is of the full age of twenty-one years,
- may be a candidate at a by-election.

*Persons Ineligible as Candidates.*

20. (1) The respective persons hereunder mentioned are Ineligibility of candidates.  
not for the time specified as to each such person eligible as candidates at a by-election, namely:

- (a) every person found by the report of the judge on the Corrupt practice.  
trial of an election petition to have committed at an election any corrupt practice, and who is reported to the Speaker of the House of Commons as having had an opportunity to be heard on his own behalf and has been expressly declared to be a person who should be disqualified as hereinafter provided, or has been convicted before any competent court of having committed at an election any offence that is a corrupt practice, or ordered to pay any sum forfeited because of the commission of any corrupt practice, or found guilty in any proceeding in which after notice of the charge he has had an opportunity of being heard, of any corrupt practice or of any offence which is a corrupt practice—during the period of seven years next after the date of his being so found, convicted, ordered or found guilty;
- (b) every person found by the report of the judge on the Illegal practice.  
trial of an election petition to have committed at an election any illegal practice, and who is reported to the Speaker of the House of Commons as having had an opportunity to be heard on his own behalf and has been expressly declared to be a person who should be disqualified as hereinafter provided, or has been convicted before any competent court of having committed at an election any offence that is an illegal practice, or ordered to pay any sum forfeited because of the commission of any illegal practice, or found guilty in any proceeding in which after notice of the charge he has had an opportunity of being heard of any illegal practice or of any offence which is an illegal practice—during the period of five years next after the date of his being so found, convicted, ordered or found guilty;
- (c) every person directly or indirectly, alone or with any Government contractors.  
other person, by himself or by the interposition of any trustee or third party, holding or enjoying, undertaking or executing any contract or agreement express or implied, with or for the Government of Canada on

behalf of the Crown, or with or for any of the officers of the Government of Canada, for which any public money of Canada is to be paid—during the time he is so holding, enjoying, undertaking, or executing;

Member of legislature.

(d) every person who is a member of the legislature of any province—during the time he is such member;

Certain public officers.

(e) every person holding the office of sheriff, registrar of deeds, clerk of the peace or county Crown attorney—during the time he is holding such office;

Persons in employ of Government.

(f) every person accepting or holding any office, commission or employment, permanent or temporary, in the service of the Government of Canada at the nomination of the Crown or at the nomination of any of the officers of the Government of Canada, to which any salary, fee, wages, allowance, emolument or profit of any kind is attached—during the time he is so holding any such office, commission or employment; and

Members of Council of Northwest Territories.

(g) every person who is a member of the Council of the Northwest Territories—during the time he is such member.

Exceptions.

(2) The provisions of this section do not render ineligible

Ministers of the Crown, etc.

(a) a member of the Queen's Privy Council for Canada holding the recognized position of First Minister, any person holding the office of President of the Queen's Privy Council for Canada or of Solicitor-General, or any member of the Queen's Privy Council for Canada holding the office of a minister of the Crown;

Member of Her Majesty's Forces.

(b) a member of Her Majesty's Forces while he is on active service as a consequence of war;

Shareholder of company having Government contract.

(c) a shareholder in any incorporated company having a contract or agreement with the Government of Canada, except any company which undertakes a contract for the building of any public work;

Person on whom contract devolves.

(d) a person on whom the completion of any contract or agreement, expressed or implied, devolves by descent or limitation, or by marriage, or as devisee, legatee, executor or administrator, until twelve months have elapsed after the same has so devolved on him;

Contractor for loans to Government.

(e) a contractor for a loan of money or of securities for the payment of money to the Government of Canada under the authority of Parliament, after public competition, or respecting the purchase or payment of the public stock or debentures of Canada on terms common to all persons; or

Purchaser of stock of Canada.

(f) a member of the reserve forces of the Canadian Forces who is not on full-time service other than active service as a consequence of war.

Member of reserve forces of Canadian Forces.

Effect of election of ineligible person.

(3) The election of any person who is by this Act declared to be ineligible as a candidate is void.

*Polling Day, Nomination Day and Nomination of Candidates.*

Polling day.

**21.** (1) The Governor in Council shall fix the day upon which the poll shall be held at a by-election, and such day shall be named in the writ ordering such by-election.



(2) The day fixed for the poll shall at a by-election be a Monday, unless the Monday of the week in which it is desired to hold the poll To be held on a Monday.

(a) is a holiday as defined by the *Interpretation Act*; or Exceptions.

(b) is a day that is generally observed by the residents of the province within which the electoral district lies as a day for religious exercises and is declared to be a holiday by the law of that province;

and in any such case the day fixed for the poll shall be Tuesday of the same week.

(3) The day for the close of nominations (in this Act referred to as nomination day) in an electoral district specified in Schedule Four shall be Monday, the twenty-eighth day before polling day, and in any other electoral district shall be Monday, the fourteenth day before polling day. Nomination day.

(4) If the Monday on which nomination day would otherwise fall is such a day that, if the poll had been directed to be held in that week, it would have been held on Tuesday, the day for the close of nominations shall be the Tuesday following the Monday upon which the nominations would otherwise have closed. Exception.

(5) Any ten or more electors qualified to vote in an electoral district for which a by-election is to be held may nominate a candidate by signing a nomination paper in Form No. 27 stating therein such particulars of the name, address and occupation of the person proposed as sufficiently to identify such candidate, and also stating therein the address of the candidate for service of process and papers under this Act and under the *Dominion Controverted Elections Act*, together with the name, address and occupation of his official agent, and by causing such nomination paper to be produced to the returning officer at any time between the date of the proclamation and the close of nominations as hereinafter specified, and by complying in all other respects with the provisions of this section. Form of nomination.

(6) Unless specially authorized by the Chief Electoral Officer, the occupation given by a candidate in the heading of his nomination paper shall be briefly stated and shall correspond to the occupation under which such candidate is known in the place of his ordinary residence. Occupation of candidate.

(7) Each candidate shall be nominated by a separate nomination paper. Each candidate separately.

(8) The returning officer shall require the person, or one or more of the persons, producing or filing as aforesaid any such nomination paper, to make oath before him that he knows or they know that Nomination paper to be attested on oath.

(a) the several persons who have signed such nomination paper are duly qualified electors of the electoral district for which the by-election is to be held;

(b) they have signed it in his or their presence; and

(c) the consent of the candidate was signed on the nomination paper in his or their presence, or, as the case may be, that the person named as candidate is absent from the electoral district.

- Form of oath. (9) Such oath may be in Form No. 28 and the fact of its having been taken shall be stated on the back of the nomination paper.
- Consent of candidate. (10) No nomination paper is valid or shall be acted upon by the returning officer unless it is accompanied by  
(a) the consent in writing of the person therein nominated, except where such person is absent from the electoral district, when such absence shall be stated in the nomination paper; and
- Deposit by candidate. (b) a deposit of two hundred dollars in legal tender or in the bills of any chartered bank doing business in Canada, or a cheque made payable to the Receiver General of Canada, for that amount drawn upon and accepted by such bank.
- Receipt for deposit. (11) The returning officer shall not accept any deposit, until after all the other steps necessary to complete the nomination of the candidate have been taken, and upon his accepting any deposit he shall give to the person by whom it is paid to him a receipt therefor, which is conclusive evidence that the candidate has been duly and regularly nominated.
- Sent to Comptroller of the Treasury. (12) The full amount of every deposit shall forthwith after its receipt be transmitted by the returning officer to the Comptroller of the Treasury.
- Time and place for receiving nominations. (13) At noon on nomination day the returning officer and the election clerk shall both attend at a court house, a city or town hall, or some other public or private building in the most central or most convenient place for the majority of the electors in the electoral district (of which place notice has been given by the returning officer in his proclamation as herein-before provided) and shall there remain until two o'clock in the afternoon of the same day for the purpose of receiving the nominations of such candidates as the electors desire to nominate and as have not already been officially nominated; after two o'clock on nomination day no further nominations shall be receivable or be received.
- Disposition of deposit. (14) The sum so deposited by any candidate shall be returned to him by the Comptroller of the Treasury in the event of his being elected or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected; otherwise, except in the case provided in subsection (15), it shall belong to Her Majesty for the public uses of Canada.
- Deposit returned in case of death of candidate. (15) The sum so deposited shall, in case of the death of any candidate after being nominated and before the closing of the poll, be returned to the personal representatives of such candidate or to such other person or persons as may be determined by the Treasury Board.
- List of names of candidates nominated. (16) At the close of the time for nominating the candidates the returning officer shall deliver to every candidate or the agent of a candidate applying therefor a duly certified list of the names of the several candidates who have been nominated.
- Votes for any other to be void. (17) Any votes given at the by-election for any other candidates than those officially nominated in the manner provided by this Act are null and void.

*Withdrawal of Candidates.*

22. (1) Any candidate officially nominated may withdraw at any time after his nomination, but not later than forty-eight hours before the opening of the poll on polling day, by filing with the returning officer a declaration in writing to that effect signed by himself, and attested by the signatures of two qualified electors in the electoral district, and any votes cast for the candidate who has so withdrawn are null and void; the deposit of a candidate so withdrawing shall be forfeited.

Withdrawal  
of candi-  
dates.

(2) When a candidate has withdrawn after nomination day, and after the ballots are printed, the returning officer shall advise, by letter or telegraph, each deputy returning officer of such withdrawal; when time permits, a notice of the withdrawal shall be printed by the returning officer and distributed to each deputy returning officer; on polling day, each deputy returning officer shall post up a copy of the printed notice of withdrawal in a conspicuous place in his polling station; if time does not permit of the printing and the distribution of such notice, the deputy returning officer, upon being advised by letter or telegram, by the returning officer of the withdrawal of any candidate, shall himself prepare by hand a notice to that effect and post it up in a conspicuous place in his polling station; in any case the deputy returning officer shall, when delivering a ballot to each elector, inform such elector of the withdrawal of any candidate.

Notice of  
withdrawal  
to election  
officers and  
electors.

(3) If, after the withdrawal, there remains but one candidate, then the returning officer shall return as duly elected the candidate so remaining, without waiting for the day fixed for holding the poll.

If only one  
candidate  
remains.

(4) Any person who, before or during a by-election, for the purpose of procuring the election of another candidate, knowingly publishes a false statement of the withdrawal of a candidate at such election is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided.

False  
statement of  
withdrawal  
of candidate.

Penalty.

*Death of Nominated Candidate.*

23. (1) Whenever any candidate dies after the close of the nominations and before the closing of the polls, the returning officer shall, after communicating with the Chief Electoral Officer, fix another day for the nomination of candidates.

Postpone-  
ment of  
nomination  
day on death  
of candidate.

(2) Notice of the new day fixed for the nomination of candidates, which shall not be more than one month from the death of the candidate whose death is the cause for fixing such new day nor less than twenty days from the issue of the notice, shall be given by a further proclamation distributed and posted up as specified in section 18, and there shall also be named by such proclamation a new day for polling, which shall, in an electoral district specified in Schedule Four, be Monday the twenty-eighth day after the new day fixed for the nomination of candidates, and, in any other electoral district, be Monday, the fourteenth day after the new day fixed for the nomination of candidates.

Notice and  
proclamation  
of new  
nomination  
and polling  
days.



Lists of electors.

(3) The lists of electors to be used at such postponed by-election shall be the official lists of electors prepared and revised after the issue of the writ.

Report.

(4) Full particulars of any action taken under this section shall be reported by the returning officer to the Chief Electoral Officer with the return to the writ.

### *Return by Acclamation.*

Return when only one candidate is officially nominated.

24. (1) Whenever only one candidate has been officially nominated within the time fixed for that purpose the returning officer shall forthwith make his return to the Chief Electoral Officer, in Form No. 29, that such candidate is duly elected, of which return he shall send within forty-eight hours a duplicate or certified copy to the person elected.

Report with return.

(2) The returning officer shall include in his return to the Chief Electoral Officer a report of his proceedings and of any nomination proposed and rejected for non-compliance with the requirements of this Act.

No one a candidate without his consent.

(3) Nothing in this Act shall be construed to impose any liability upon any person officially nominated as a candidate or declared to be a candidate by others without his consent, unless he has afterwards given his assent to such nomination or declaration or has been elected.

### *The Granting of a Poll.*

Granting of a poll.

25. (1) If more than one candidate is officially nominated in the manner required by this Act the returning officer shall grant a poll for taking the votes of the electors.

Returning officer to mail copies of notice to postmasters.

(2) Within two days after such poll has been granted, the returning officer shall mail to the same postmasters to whom the proclamation in Form No. 4 has been mailed (and in the electoral districts of Yukon and Mackenzie River advertise in the same newspapers) copies of the Notice of Grant of a Poll in Form No. 30 issued under his hand in the English and French languages in any electoral district in the Provinces of Quebec and Manitoba, and in the English language only in any other electoral district, indicating

Candidates.

(a) the names, addresses and occupations of the candidates officially nominated, in the order in which they are to be printed on the ballot papers;

Official agents.

(b) the names, addresses and occupations of the official agents of such candidates as stated in the applicable nomination papers; and

Polling stations and polling divisions.

(c) the several polling stations fixed by him for the various polling divisions and (in as brief as possible terms) the territorial limits of such polling divisions.

Notification to postmaster.

(3) The returning officer shall at the same time notify in writing each postmaster of the provisions of subsection (5).

Copies of notice to candidates.

(4) The returning officer shall, as soon as possible, deliver or send by registered mail ten copies of such notice in Form No. 30 to each candidate officially nominated.

(5) Every postmaster shall, forthwith after receipt of such notice in Form No. 30, post it up in some conspicuous place within his office to which the public has access and maintain it posted there until the time fixed for the closing of the poll has passed, and failure to do so is ground for his dismissal from office; and for the purpose of this provision such postmaster shall be deemed an election officer and liable as such.

To be posted.

Postmaster  
election  
officer.

*Deputy Returning Officers and Poll Clerks.*

26. (1) As soon as convenient after the issue of the writ ordering a by-election, the returning officer shall, by writing in Form No. 31 executed under his hand, appoint one deputy returning officer for each polling station established in his electoral district; every deputy returning officer shall before acting as such take an oath in Form No. 32.

Deputy  
returning  
officers.

(2) The returning officer shall furnish to each candidate or his agent, at least three days before polling day, a list of the names and addresses of all the deputy returning officers appointed to act in the electoral district with the number of the polling station at which each is to act.

List of  
deputies to  
candidates.

(3) The returning officer may, at any time, relieve any deputy returning officer of his duties and appoint another to perform the same, and any deputy returning officer so relieved, and any deputy returning officer who refuses or is unable to act, shall forthwith, upon receiving written notice from the returning officer of the appointment of a substitute for him, deliver up to the returning officer or to such other person as the returning officer may appoint, the ballot box and all ballot papers, list of electors and other papers in his possession as such deputy returning officer; on default, he is guilty of an offence punishable on summary conviction as in this Act provided.

Replacing  
deputies.

(4) Each deputy returning officer shall, as soon as possible after his appointment, appoint by writing under his hand, in Form No. 33, a poll clerk who before acting as such shall take the oath printed on the said Form No. 33; such forms of appointment and oath shall be printed in the poll book.

Poll clerks.

(5) At least three days before polling day, the returning officer shall post up in his office a list of the names and addresses of all the deputy returning officers appointed to act in the electoral district, with the numbers of their respective polling stations, and shall permit free access to, and afford full opportunity for the inspection of, such list by interested persons at any reasonable time.

Posting up  
of list of  
names of  
deputy  
returning  
officers.

(6) Whenever a deputy returning officer dies or is unable to act, the returning officer may appoint another person in his stead as deputy returning officer; and if no such appointment is made the poll clerk, without taking another oath of office, shall act as deputy returning officer.

When  
deputy dies  
or cannot  
act.

(7) Whenever the poll clerk acts as deputy returning officer, he shall, by a commission in Form No. 34, which shall be printed in the poll book, appoint a poll clerk to act in his stead, who shall take the oath printed on Form No. 33.

Another  
poll clerk  
appointed.

*Ballot Boxes and Ballot Papers.*

Ballot boxes.      **27.** (1) The Chief Electoral Officer may cause to be made such ballot boxes as are required; or he may give to the returning officer such instructions as are deemed necessary to secure ballot boxes of a uniform size and shape.

Construction.      (2) Each ballot box shall be made of some durable material with a slit or narrow opening on the top so constructed that, while the poll is open, the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the ballot box is unsealed and opened; each ballot box shall be provided with a sealing plate, permanently attached, to affix the special metal seals prescribed by the Chief Electoral Officer for the use of returning officers and deputy returning officers.

Furnished by custodian.      (3) The officer in charge of a building owned or occupied by the Government of Canada, the postmaster, the sheriff, the registrar of deeds, or other person designated by the Chief Electoral Officer, into whose custody, after the preceding election, the ballot boxes were deposited pursuant to section 53, shall deliver such ballot boxes to the appropriate returning officer whenever a by-election has been ordered in his electoral district.

When not furnished.      (4) Whenever the returning officer fails to furnish the ballot box to the deputy returning officer for any polling station within the time prescribed by this Act, such deputy returning officer shall otherwise procure it or cause it to be made.

Ballot papers and their form.      **28.** (1) All ballots shall be of the same description and as nearly alike as possible; the ballot of each elector shall be a printed paper, in this Act called a ballot paper, on which the names, addresses, and occupations of the candidates alphabetically arranged in the order of their surnames, shall, subject as hereafter in this section provided, be printed exactly as such names, addresses, and occupations are set out in the heading of the nomination papers; each ballot paper shall have a counterfoil and a stub, and there shall be a line of perforations between the ballot paper and the counterfoil and between the counterfoil and the stub, the whole as in Form No. 35.

*(2) Omitted in consolidation.*

Correction of name.      (3) Any candidate may, within one hour after the close of nominations, supply in writing to the returning officer any particulars of his address or occupation which he considers to have been insufficiently or inaccurately given in the heading of his nomination paper, or may in writing direct the returning officer to omit any of his given names from the ballot paper or to indicate the same by initial only, and the returning officer shall comply with any such direction and include in the ballot paper any such additional or corrected particulars.

Quality and weight of paper.      (4) The ballot papers shall be printed upon paper which shall be furnished to the returning officer by the Chief Electoral Officer at the time of or as soon as possible after the transmission of the writ ordering a by-election; such ballot paper shall be of a weight not less than a basis of fifty-six pounds per thousand sheets of seventeen inches by twenty-two inches in size.



(5) The ballot papers shall be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil; each ballot paper shall bear on the back thereof an impression of the stereotype block supplied by the Chief Electoral Officer pursuant to subsection (2) of section 13; the ballot papers shall be bound or stitched in books containing twenty-five, fifty, or one hundred ballots, as may be most suitable for supplying the polling stations proportionately to the number of voters in each.

Numbering  
of ballot  
papers.

(6) The ballot papers shall bear the name of the printer and such printer shall, upon delivering the ballot papers to the returning officer, deliver therewith an affidavit, in Form No. 36, setting forth the description of the ballot papers so printed by him, the number of ballot papers supplied to such returning officer, and the fact that no other ballot papers have been supplied by him to any other person.

Printer's  
name and  
affidavit.

(7) The property in the ballot boxes, ballot papers, envelopes and marking instruments procured for or used at any by-election shall be in Her Majesty.

Property  
in Her  
Majesty.

## 29. Every one who

- (a) forges, counterfeits, fraudulently alters, defaces, or fraudulently destroys a ballot paper or the initials of the deputy returning officer signed thereon; Forgery or destruction of ballots.
- (b) without authority supplies a ballot paper to any person; Illegal supply.
- (c) not being a person entitled under this Act to be in possession of official ballot paper or of any ballot paper, has any such official ballot paper or any ballot paper in his possession; Unlawful possession.
- (d) fraudulently puts or causes to be put into a ballot box a paper other than the ballot paper which is authorized by this Act; Fraudulent putting of paper in ballot box.
- (e) fraudulently takes a ballot paper out of the polling station; Taking out of polling station.
- (f) without due authority destroys, takes, opens or otherwise interferes with a ballot box or book or packet of ballot papers then in use for the purposes of the by-election; Destroying or opening box or packet.
- (g) being a deputy returning officer fraudulently puts, otherwise than as authorized by this Act, his initials on the back of any paper purporting to be or capable of being used as a ballot paper at a by-election; Illegally initialling bogus ballot papers.
- (h) with fraudulent intent, prints any ballot paper or what purports to be or is capable of being used as a ballot paper at a by-election; Illegally printing ballot papers.
- (i) being authorized by the returning officer to print the ballot papers for a by-election, prints without authority more ballot papers than he is authorized to print; Printing more ballot papers than required.
- (j) being a deputy returning officer, places upon any ballot paper, except as authorized by this Act, any writing, number, or mark with intent that the elector to whom such ballot paper is to be, or has been, given may be identified thereby; Marking ballot papers.

Making,  
importing  
or having  
ballot  
boxes with  
secret  
devices.

- (k) manufactures, constructs, imports into Canada, has in possession, supplies to any election officer, or uses for the purposes of a by-election, or causes to be manufactured, constructed, imported into Canada, supplied to any election officer, or used for the purposes of a by-election, any ballot box containing or including any compartment, appliance, device or mechanism by which a ballot paper may or could be secretly placed or stored therein, or having been deposited during polling, may be secretly diverted, misplaced, affected or manipulated; or

Attempts.

- (l) attempts to commit any offence specified in this section;

Penalty.

is disqualified from voting at any election for a term of seven years thereafter and guilty of an indictable offence and liable, if he is a returning officer, election clerk, deputy returning officer, poll clerk or other officer engaged in a by-election, to imprisonment, without the alternative of a fine, for a term not exceeding five years and not less than one year, with or without hard labour, and if he is any other person to imprisonment for a term not exceeding three years and not less than one year, with or without hard labour.

*Supply of Election Materials to Deputy Returning Officer.*

Materials  
to be  
furnished  
to D.R.O.

**30. (1)** The returning officer shall furnish to each deputy returning officer, at least two days before polling day:

- (a) a sufficient number of ballot papers for at least the number of electors on the official list of electors of such deputy's polling station;
- (b) a statement showing the number of ballot papers so supplied, with their serial numbers;
- (c) the necessary materials for electors to mark their ballots;
- (d) at least ten copies of printed directions in Form No. 37 for the guidance of electors in voting;
- (e) copy of the instructions prescribed by the Chief Electoral Officer, referred to in paragraph (a) of subsection (1) of section 13;
- (f) the official list of electors for use at his polling station;
- (g) a ballot box;
- (h) a blank poll book;
- (i) the several forms of oaths to be administered to electors printed together on a card; and
- (j) the necessary envelopes and such other forms and supplies as may be authorized or furnished by the Chief Electoral Officer.

Safekeeping  
of ballot  
papers, etc.

(2) Until the opening of the poll the deputy returning officer shall keep the blank poll book, list of electors, forms of oaths, envelopes, ballot papers and other election supplies, carefully locked up in the ballot box, and shall take every precaution for their safekeeping and to prevent any person from having unlawful access to them.

*The Poll and Polling Stations.*

31. (1) The poll shall be held in one or more polling stations established in each polling division in premises of convenient access, with an outside door for the admittance of electors, and having, if possible, another door through which they may leave after having voted. Polling stations.

(2) Each polling station shall contain one or two compartments so arranged that each elector may be screened from observation, and may, without interference or interruption, mark his ballot paper. Compartments.

(3) In such compartment there shall be provided for the use of electors in marking their ballots, a table or desk with a hard and smooth surface and a suitable black lead pencil, which shall be kept properly sharpened throughout the hours of polling. Table or desk.

(4) The Chief Electoral Officer may give to the returning officer such instructions as are deemed necessary as to the mode of making the compartments. Instructions.

(5) The poll shall be opened at the hour of eight o'clock in the forenoon and kept open until six o'clock in the afternoon of the same day, and each deputy returning officer shall, during that time, in the polling station assigned to him, receive in the manner hereinafter prescribed the votes of the electors duly qualified to vote at such polling station. Hours of polling.

(6) The returning officer may, with the prior permission, and shall upon the direction of the Chief Electoral Officer, establish a central polling place where the polling stations of all or any of the polling divisions of any locality may be centralized, but no central polling place so established shall comprise more than ten polling divisions unless it is the usual practice in a locality to establish a central polling place for civic, municipal or provincial elections and it is desirable in the opinion of the Chief Electoral Officer to follow that practice in a by-election under this Act, and upon the establishment of a central polling place under this subsection all provisions of this Act apply as if every polling station at such central polling place were within the polling division of the electoral district to which it appertains. Central polling place.

(7) Whenever the returning officer is unable to secure suitable premises to be used as a polling station within a polling division, he may, with the prior permission of the Chief Electoral Officer, establish such polling station in an adjacent polling division, and upon the establishment of such polling station all provisions of this Act apply as if such polling station were within the polling division to which it appertains. Polling station in adjacent polling division.

*Official List of Electors to be Used at the Poll.*

32. (1) The list of electors to be used at a by-election shall be the official list of electors as defined in subsection (22) of section 2. List of electors to be used at the poll.

(2) The returning officer shall deliver one copy of the official list of electors to each deputy returning officer for his respective polling station; such list shall be enclosed in the ballot box with the ballot papers and other supplies, as provided by section 30. Returning officer to deliver list of electors to deputy returning officer.



Official list  
for a remote  
rural polling  
division.

(3) In very remote rural polling divisions where the postal service is such that it is doubtful if the preliminary list of electors or the statement of changes and additions can be sent by the returning officer to the appropriate deputy returning officer in time for polling day at the by-election, the Chief Electoral Officer may direct that the written or typewritten preliminary list of electors, or one copy of the statement of changes and additions, or both, as prepared by the enumerator, shall be delivered or transmitted by the enumerator direct to the deputy returning officer concerned; in such cases the deputy returning officer shall, for the taking of the vote, use the written or typewritten list of electors, or the statement of changes and additions, or both, as the case may be, as though he had received them or either of them direct from the returning officer.

Application  
of this  
section.

33. (1) All the provisions of this section apply notwithstanding anything contained in this Act.

Dividing  
lists for  
large polling  
divisions.

(2) If the Chief Electoral Officer so authorizes or directs, and, in any event, where the official list of electors for any polling division contains the names of more than three hundred and fifty electors, the returning officer shall, for the purposes of and during a by-election, provide within that polling division sufficient separate and adjacent polling stations, so that not more than three hundred and fifty, and, when practicable, not less than one hundred and seventy-five, names shall be on the list of electors for each of such polling stations, and so that the name of every elector on the official list of electors for the polling division shall appear on some one, and on one only, of the parts of the list of electors allotted to the various polling stations established in such polling division.

Establish-  
ment of  
extra polling  
stations.

Dividing  
lists for  
rural polling  
stations.

(3) If the polling division is rural, the returning officer shall divide the alphabetical list of electors for that polling division into as many separate lists as are required for the taking of the vote at each polling station therein established; the list shall be cut between two initial letters of the surnames of the electors, as they appear thereon, that is to say, between K and L, or between R and S, or as the case may be; the polling stations so established shall be designated by the number of the polling division to which will be added the letters A to K or L to R or S to Z, or in whichever way the list is divided.

Dividing  
lists for  
urban polling  
stations.

(4) If the polling division is urban, the returning officer shall divide the preliminary list into as many separate lists as are required for the taking of the votes at each polling station established therein; the list shall be divided numerically according to the consecutive number given to each elector registered on the preliminary list so that approximately an equal number of electors will be allotted to each polling station necessarily established in such polling division; the polling stations so established shall be designated by the number of the polling division to which shall be added the letters A, B, C and so on.

Urban lists  
divided  
alpha-  
betically in  
some cases.

(5) In urban polling divisions where it is necessary to prepare an alphabetical list of electors pursuant to subsection (15) of section 17, owing to the territory not being designated by streets, roads, avenues, or otherwise, the returning officer shall divide the list as directed by subsection (3).

(6) To each portion of the official list of electors, divided as provided in this section, the returning officer shall append a special certificate signed by himself, in the form prescribed by the Chief Electoral Officer, attesting to its correctness before sending the same to the deputy returning officer for the appropriate polling station at which it is to be used for the taking of the vote on polling day.

(7) For any polling division for which the list of electors is divided, pursuant to the provisions of this section, the returning officer shall prepare from the statement of changes and additions as certified by the rural enumerator or by the revising officer, special statements of changes and additions, in the form prescribed by the Chief Electoral Officer, each such special statement to contain the entries relating to one polling station only, so that each entry made in the original statement of changes and additions will be allocated in such special statement of changes and additions to the polling station to which it belongs; if no changes have been made in the preliminary list for any such polling division the returning officer shall nevertheless prepare the necessary number of copies of the special statement of changes and additions in the prescribed form by writing the word "Nil" in the three spaces provided for the various entries on the said form, and by completing the form in every other respect; the returning officer shall certify to the correctness of such special statement of changes and additions and shall deliver one copy thereof in the ballot box to the deputy returning officer concerned, and the appropriate portion of the preliminary list of electors, together with the said special statement of changes and additions, as certified by the returning officer, shall be and constitute the official list of electors to be used for the taking of the votes on polling day at such deputy returning officer's polling station.

(8) Every elector of a rural polling division the initial letter of whose surname is included within the letters designating a polling station, and contained in a list of electors divided pursuant to subsections (3) and (7), shall vote, if at all, at the station to which such part of the list applies, and not otherwise.

(9) Every elector of an urban polling division whose name appears on the list of electors divided pursuant to subsections (4), (5) and (7), shall vote, if at all, at the polling station to which such part of the list applies, and not otherwise.

(10) The returning officer shall appoint a deputy returning officer for each of such polling stations and shall deliver to him a correct list of all electors whose names are on the applicable part of the list of electors for the polling division and who, pursuant to this section, are to vote, if at all, at such deputy returning officer's polling station.

#### *Agents at the Polls.*

34. (1) In addition to the deputy returning officer and the poll clerk, the candidates, and their agents not exceeding two in number for each candidate in each polling station, and, in the absence of agents, two electors to represent each candidate on the request of such electors, and no others, shall be permitted

to remain in the room where the votes are given during the time the poll remains open; forthwith on being admitted to the polling station each agent shall deliver his written appointment to the deputy returning officer.

Oath of  
secrecy.

(2) Each of the agents of a candidate, and, in the absence of agents, each of the electors representing such candidate, on being admitted to the polling station, shall take an oath in Form No. 39 to keep secret the name of the candidate for whom the ballot paper of any elector is marked in his presence.

Agent  
authorized  
in writing.

(3) Any agent bearing a written authorization from the candidate shall be deemed an agent of such candidate within the meaning of this Act, and shall always be entitled to represent such candidate in preference to, and to the exclusion of, any elector who might otherwise claim the right of representing such candidate.

Agents may  
absent  
themselves  
from poll.

(4) Agents of candidates or electors representing candidates may absent themselves from and return to the polling station at any time before the close of the poll.

Counting  
of ballots  
before  
opening  
of poll.

35. (1) If the agents and electors entitled to be present in the room of the polling station during polling hours are in attendance at least fifteen minutes before the hour fixed for opening the poll, they are entitled to have the ballot papers intended for use thereat carefully counted in their presence before the opening of the poll, and to inspect such ballot papers, and all other papers, forms and documents relating to the poll.

Candidate  
may act as  
his own  
agent.

(2) A candidate may himself undertake the duties which any agent of his, if appointed, might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, be authorized to attend.

Provisions  
requiring  
presence  
of agents.

(3) The non-attendance of any agent or agents of candidates at any time or place required by this Act does not in any wise invalidate any act or thing done during the absence of such agent or agents if such act or thing is otherwise duly done, and wherever in this Act any expressions are used requiring or authorizing any act to be done at the polls or otherwise, in the presence of agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as are authorized to attend, and as have, in fact, attended at the time and place where such act or thing is being done.

### *Proceedings at the Poll.*

Directions  
to electors  
to be  
posted up.

36. (1) The deputy returning officer shall, on polling day, at or before the opening of the poll, cause such printed directions to electors as have been supplied to him in Form No. 37 to be posted up in conspicuous places outside of and near to the polling station and also in each compartment of the polling station.

Initiailling  
ballot  
papers.

(2) Before the opening of the poll, on polling day, the deputy returning officer shall, at the polling station and in full view of such of the candidates or their agents or the electors representing candidates as are present, affix uniformly his initials in the space provided for that purpose on the back of every ballot



paper supplied to him by the returning officer; the initials of the deputy returning officer shall be affixed either entirely with pen and ink or entirely with a black lead pencil; for the purpose of such initialling, the ballot papers shall not be detached from the books in which such ballot papers have been bound or stitched pursuant to subsection (5) of section 28.

§ \* (3) At the hour fixed for opening the poll the deputy returning officer shall, in full view of such of the candidates or their agents or the electors representing candidates as are present, open the ballot box and ascertain that there are no ballot papers or other papers or material enclosed therein, after which the ballot box shall be locked and sealed with one of the special metal seals prescribed by the Chief Electoral Officer for the use of deputy returning officers; the ballot box shall then be placed on a table in full view of all present and shall be maintained so placed until the close of the poll. Examining and sealing ballot box.

(4) Immediately after the ballot box is so locked and sealed, the deputy returning officer shall call upon the electors to vote. Calling electors.

(5) The deputy returning officer shall secure the admittance of every elector into the polling station, and shall see that they are not impeded or molested at or about the polling station. Electors not to be impeded.

(6) The deputy returning officer may, if he deems it advisable, direct that not more than one elector for each compartment shall, at any time, enter the room where the poll is held; and each elector, upon so entering, shall declare his name, residence and occupation; the poll clerk shall then ascertain if the name of the elector appears on the official list of electors used at the polling station or, in a rural polling division only, if the applicant elector is otherwise qualified to vote; when it has been ascertained that the applicant elector is qualified to vote at the polling station, his name, address and occupation shall be entered in the poll book to be kept by the poll clerk, in Form No. 40, a consecutive number being prefixed to the elector's name in the appropriate column of the poll book, and the elector shall be immediately allowed to vote, unless an election officer or any agent of a candidate present at the polling station desires that he be first sworn. One elector at a time.  
Elector to declare his name, etc.

37. (1) Subject to his taking any oath or affidavit authorized by this Act to be required of him, every person whose name appears on an official list of electors shall be allowed to vote at the polling station on the list of electors for which his name appears; in an urban polling division, he shall not be allowed to vote if his name does not appear on such list, unless he has obtained a transfer certificate, pursuant to section 43, and fully complies with the provisions of subsection (5) of the said section, or unless he has obtained from the returning officer a certificate in Form No. 20 issued pursuant to subsection (11) of section 17, or a certificate in Form No. 21 issued pursuant to subsection (12) of the said section, which certificate shall be delivered to the deputy returning officer before the elector is allowed to vote; in a rural polling division, any qualified elector may vote, subject to the provisions of section 46, notwithstanding that his name does not appear on the official list of electors for the polling division in which such elector ordinarily resides. Who may vote and where.  
Closed lists in urban polls.  
Open lists in rural polls.

Prescribed  
oaths only.

(2) Except as provided in this Act no other oath shall be required of any person whose name is entered on the list of electors.

Voting  
more than  
once.

(3) No elector shall vote more than once at a by-election.

Penalty for  
wrongfully  
inducing  
person  
to vote.

38. (1) Any person who induces or procures any other person to vote at a by-election, knowing that such other person is for any reason disqualified from voting or incompetent to vote at such by-election, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Burden of  
proof on  
accused.

(2) Upon the trial of any person accused of violating this section, when it is proved that the person in respect of whose vote the prosecution is had, voted at such by-election, the burden of proving that such person was qualified to vote, or, if such person was disqualified from voting, or incompetent to vote, that the accused did not know thereof, is upon the accused.

Oath of  
elector.

39. (1) An elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present, shall, before receiving his ballot paper, take an oath in Form No. 41, and if he refuses to take the same, erasing lines shall be drawn through his name on the list of electors and in the poll book, if such name has been entered in the said book, and the words "Refused to be sworn" shall be written thereafter.

Affidavit  
of electors.

(2) In urban polling divisions, whenever an elector is specially required so to do, by any of the persons mentioned in subsection (1), such elector shall take an affidavit in Form No. 42, before the deputy returning officer, instead of the oath prescribed in the said subsection and if such elector refuses so to take such affidavit he shall not be permitted to vote.

Improper  
varying  
of oath.

40. (1) If any deputy returning officer or poll clerk, presiding at a polling station, in administering to any person any oath mentions as a disqualification any fact or circumstance that is not a disqualification according to the provisions of this Act, he is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Elector  
refusing  
oath not  
entitled  
to vote.

(2) No elector who has refused to take any oath or affirmation or to answer any question, as by this Act required, shall receive a ballot paper or be admitted to vote or be again admitted to the polling place.

Name,  
address and  
occupation  
correspond-  
ing closely  
to another.

41. (1) Where there is contained in the official list of electors a name, address and occupation which correspond so closely with the name, address and occupation of a person by whom a ballot is demanded as to suggest that the entry in such official list of electors was intended to refer to him, such person is, upon taking an oath in Form No. 43 and complying in all other respects with the provisions of this Act, entitled to receive a ballot and to vote.

May vote  
on taking  
oath.

Entries in  
poll book.

(2) In any such case the name, address and occupation shall be correctly entered in the poll book and the fact that the oath has been taken shall be entered in the proper column of the poll book.

## 42. The poll clerk shall

Entries in  
poll book.

- (a) make such entries in the poll book, as the deputy returning officer, pursuant to any provision of this Act, directs;
- (b) enter in the poll book opposite the name of each voter, as soon as the voter's ballot paper has been deposited in the ballot box, the word "Voted";
- (c) enter in the poll book the word "Sworn" or "Affirmed" opposite the name of each elector, to whom any oath or affirmation has been administered, indicating the nature of the oath or affirmation; and
- (d) enter in the poll book the words "Refused to be sworn" or "Refused to affirm" or "Refused to answer", opposite the name of each elector who has refused to take an oath or to affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer.

*Issue of and Voting on Transfer Certificate.*

43. (1) At any time between the close of nominations and not later than ten o'clock in the evening of the Saturday immediately preceding polling day, upon the production to the returning officer or to the election clerk of a writing, signed by a candidate who has been officially nominated, whereby such candidate appoints a person whose name appears upon the official list of electors for any polling station in the electoral district to act as his agent at another polling station, the returning officer or the election clerk shall issue to such agent a transfer certificate in Form No. 44 entitling him to vote at the latter polling station.

Issue of  
transfer  
certificates  
to agents of  
candidates.

(2) Every person appointed agent for a candidate, who has obtained a transfer certificate from the returning officer or the election clerk shall, before being allowed to vote by virtue of such certificate, subscribe to the affidavit in Form No. 45 before the deputy returning officer, and such affidavit, together with the transfer certificate attached, shall be surrendered to the deputy returning officer before whom it is subscribed.

Affidavit of  
agent voting  
on transfer  
certificate.

(3) Any candidate whose name appears upon the list of electors for any polling station is entitled at his request to receive a transfer certificate entitling him to vote in any specified polling station instead of that upon the list of electors for which his name appears.

Transfer  
certificate  
for  
candidate.

(4) The returning officer or the election clerk may also at any time issue a transfer certificate to any person whose name appears on the official list of electors and who has been appointed to act as deputy returning officer or poll clerk for any polling station established in the electoral district other than that at which such person is entitled to vote; the returning officer may also issue a transfer certificate to his election clerk, when such election clerk ordinarily resides in a polling division other than that in which the office of the returning officer is situated.

Transfer  
certificates  
for deputy  
returning  
officer,  
poll clerk,  
and election  
clerk.

(5) Except in the case of the election clerk, no transfer certificate issued to any election officer or agent for a candidate under this section entitles such election officer or agent to vote pursuant

Condition.



thereto unless, on polling day, he is actually engaged in the performance of the duty specified in the said certificate at the polling station therein mentioned.

**Limitation.**

(6) No returning officer or election clerk shall together issue certificates under this section purporting to entitle more than two agents for any one candidate to vote at any given polling station, and no deputy returning officer shall permit more than two agents for any one candidate to vote at his polling station on certificates under this section.

**Signing,  
numbering  
and  
recording  
transfer  
certificate.**

(7) The returning officer or the election clerk by whom any transfer certificate is issued shall

- (a) fill in and sign such certificate and mention thereon the date of its issue,
- (b) consecutively number every such certificate in the order of its issue,
- (c) keep a record of every such certificate in the order of its issue on the form prescribed by the Chief Electoral Officer,
- (d) not issue any such certificate in blank, and
- (e) whenever possible, send a copy of the transfer certificate issued to the deputy returning officer for the polling station on the list for which appears the name of the person to whom such certificate has been issued.

**Entry in  
poll book.**

(8) In every case of a vote polled under authority of this section the poll clerk shall enter in the poll book, opposite the voter's name, in the column for remarks, a memorandum stating that the voter voted under a transfer certificate, giving the number of such certificate, and stating the particular office or position which the voter is filling at the polling station.

*Secrecy.*

**Secrecy  
during and  
after poll.**

44. (1) Every candidate, officer, clerk, agent or other person in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no candidate, officer, clerk, agent or other person shall,

**Interfering  
with voter  
marking  
ballot.**

- (a) at the polling station interfere with, or attempt to interfere with an elector when marking his ballot paper, or otherwise attempt to obtain information as to the candidate for whom any elector is about to vote or has voted;

**Taking  
number  
of ballot  
on count.  
Communica-  
ting manner  
of voting.**

- (b) at the counting of the votes attempt to ascertain the number on the counterfoil of any ballot paper;
- (c) at any time communicate any information as to the manner in which any ballot paper has been marked in his presence in the polling station;

**Inducing  
voter to  
display  
ballot.**

- (d) at any time or place, directly or indirectly, induce or endeavour to induce any voter to show his ballot paper after he has marked it, so as to make known to any person the name of the candidate for or against whom he has so cast his vote;

- (e) at any time communicate to any person any information obtained at a polling station as to the candidate for whom any elector at such polling station is about to vote or has voted; or Vote not to be disclosed.
- (f) at such counting attempt to obtain any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. Secrecy respecting counting of votes.

(2) No elector shall, except when unable to vote in the manner prescribed by this Act on account of inability to read, blindness or other physical incapacity Secrecy at the poll.

- (a) upon entering the polling station and before receiving a ballot paper, openly declare for whom he intends to vote;
- (b) show his ballot paper, when marked, so as to allow the name of the candidate for whom he has voted to be known; or
- (c) before leaving the polling station, openly declare for whom he has voted.

(3) Every person who contravenes or fails to observe any provision of this section is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act. Penalty for violation.

(4) It is the duty of the deputy returning officer to draw the attention of any elector who has contravened the provisions of subsection (2) to the offence that he has committed and to the penalty to which he has rendered himself liable, but such elector shall nevertheless be allowed to vote in the usual way. Procedure in case of violation of secrecy at the polls.

#### *Manner of Voting.*

45. (1) Voting shall be by ballot, and each elector shall receive from the deputy returning officer a ballot paper, on the back of which such officer has, as prescribed in subsection (2) of section 36, affixed his initials, so placed, as indicated on the back of Form No. 35, that when the ballot paper is folded the initials can be seen without unfolding the ballot paper. Delivery of ballot paper to elector.

(2) The deputy returning officer shall instruct the elector how and where to affix his mark, and shall properly fold the elector's ballot paper, directing him to return it, when marked, folded as shown, but without inquiring or seeing for whom the elector intends to vote, except when the elector is unable to vote in the manner prescribed by this Act on account of inability to read, blindness or other physical incapacity. Instructions to elector on receiving ballot paper.

(3) The elector on receiving the ballot paper, shall forthwith proceed into a voting compartment and there mark his ballot paper by making a cross with a black lead pencil within the space on the ballot paper containing the name and particulars of the candidate for whom he intends to vote, and he shall then fold the ballot paper as directed so that the initials on the back of it and the printed serial number on the back of the counterfoil can be seen without unfolding it, and hand the ballot paper to the deputy returning officer, who shall, without unfolding it, ascertain by examination of the above mentioned Mode of voting.

initials and printed serial number that it is the same ballot paper as that delivered to the elector and if the same he shall forthwith in full view of the elector and all others present, remove and destroy the counterfoil and the deputy returning officer shall himself deposit the ballot paper in the ballot box.

Spoiled  
ballot paper.

(4) An elector who has inadvertently dealt with the ballot paper delivered to him in such manner that it cannot conveniently be used shall restore it to the deputy returning officer, who shall deface it in such manner as to render it a spoiled ballot; the deputy returning officer shall then deliver another ballot paper to the elector.

Elector in  
whose name  
another  
has voted.

(5) Subject to all other provisions of this Act as to proof of qualification as an elector and the administration of oaths, if a person representing himself to be a particular elector applies for a ballot paper after another person has voted as such person, he shall be entitled to receive a ballot paper and to vote after taking the oath of identity, in Form No. 46, and otherwise establishing his identity to the satisfaction of the deputy returning officer.

Entry in  
poll book.

(6) In such case, the poll clerk shall enter in the poll book, opposite the name of the elector

- (a) a note of his having voted on a second ballot paper issued under the same name;
- (b) the fact of the oath of identity having been taken, and the fact of any other oath being required and taken; and
- (c) any objections made on behalf of any and of which of the candidates.

Elector  
unable to  
mark his  
ballot paper.

(7) The deputy returning officer on the application of any elector who is unable to read, or is incapacitated, from any physical cause other than blindness, from voting in the manner prescribed by this Act, shall require the elector making such application to make oath in Form No. 47 of his incapacity to vote without assistance, and shall thereafter assist such elector by marking his ballot paper in the manner directed by such elector in the presence of the poll clerk and of the sworn agents of the candidates or of the sworn electors representing the candidates in the polling station and of no other person, and shall place such ballot in the ballot box.

Oath.

Blind  
elector's  
ballot paper  
marked by  
friend.

(8) The deputy returning officer shall either deal with a blind elector in the same manner as with an illiterate or otherwise incapacitated elector, or, at the request of a blind elector who has taken the oath in Form No. 47, and is accompanied by a friend, shall permit such friend to accompany the blind elector into the voting compartment and mark the blind elector's ballot paper; in such case the poll clerk shall, in addition to the other requirements prescribed in this Act, enter the name of the friend of the blind elector in the remarks column of the poll book, opposite the entry relating to such blind elector; no person shall at a by-election be allowed to act as the friend of more than one blind elector.

Oath of  
friend.

(9) Any friend who is permitted to mark the ballot of a blind elector as aforesaid shall first be required to take an oath in Form No. 48 that he will keep secret the name of the candidate for whom the ballot of such blind elector is marked



by him, and that he has not already acted as the friend of a blind elector for the purpose of marking his ballot paper at the pending by-election.

(10) Whenever any elector has had his ballot paper marked as provided in subsections (7), (8) and (9), the deputy returning officer shall enter in the poll book opposite the elector's name, in addition to any other requisite entry, the reason why such ballot paper was so marked. Entry in poll book.

(11) Whenever the deputy returning officer does not understand the language spoken by any elector that officer shall appoint and swear an interpreter, who shall be the means of communication between him and the elector with reference to all matters required to enable such elector to vote, and in case no interpreter is found, such elector shall not be allowed to vote. Interpreter to be sworn. No interpreter, no vote.

(12) Every elector shall vote without undue delay and shall quit the polling station as soon as his ballot paper has been put into the ballot box. No delay in voting.

(13) If at the hour of closing of the poll there are any electors in the polling station or in line at the door, who are qualified to vote and have not been able to do so since their arrival at the polling station, the poll shall be kept open a sufficient time to enable them to vote, before the outer door of the polling station is closed, but no one not actually present at the poll at the hour of closing shall be allowed to vote, even if the poll is still open when he arrives. Electors present at hour of close of poll allowed to vote.

(14) Whenever a polling station has been established in a sanatorium, a chronic hospital, or similar institution for the care and treatment of tuberculosis or other chronic diseases, the deputy returning officer and the poll clerk shall, while the poll is open on polling day and when deemed necessary by the deputy returning officer, suspend temporarily the voting in such polling station, and shall, with the approval of the person in charge of such institution, carry the ballot box, poll book, ballot papers and other necessary election documents from room to room in such institution to take the votes of bedridden patients who are ordinarily resident in the polling division in which such institution is situated and are otherwise qualified as electors; the procedure to be followed in taking the votes of such bedridden patients shall be the same as that prescribed for an ordinary polling station, except that not more than one agent of each candidate shall be present at the taking of such votes; the deputy returning officer shall give such patients any assistance which may be necessary in accordance with subsections (7) and (8). Voting by qualified elector who is a bedridden patient in a sanatorium, etc.

*Vote by Elector whose Name is not Entered in the Official List of Electors for a Rural Polling Division.*

46. (1) Subject as herein provided, any person who is qualified to vote in the electoral district, in which a by-election is pending, and is, on polling day, ordinarily resident in a rural polling division may, notwithstanding that his name does not appear on the official list of electors for such rural polling division, vote at the appropriate polling station established therefor. Manner of voting, by qualified elector whose name is not on the list in a rural polling division.

Conditions.

(2) Any such person as is in subsection (1) described is entitled to vote only

(a) upon his being vouched for by an elector whose name appears on the official list of electors for such rural polling division and who is ordinarily resident therein, and personally attends with him at the polling station and takes an oath in Form No. 50, and

(b) upon himself taking an oath in Form No. 49.

Entries in  
poll book.

(3) The poll clerk shall make such entries in the poll book, as the deputy returning officer directs him to make, including the name of the elector who vouched for the applicant elector, and as are required by any provision of this Act.

Penalty for  
illegal  
vouching.

(4) Any elector who vouches for an applicant elector, knowing that such applicant is for any reason disqualified from voting in the polling division at the pending by-election, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided.

#### *Time to Employees for Voting.*

Consecutive  
hours for  
voting.

47. (1) Every employee who is a qualified elector shall, while the polls are open on polling day at an election, have three consecutive hours for the purpose of casting his vote; and if the hours of his employment do not allow for such three consecutive hours, his employer shall allow him such additional time for voting as may be necessary to provide the said three consecutive hours; no employer shall make any deduction from the pay of any such employee nor impose upon or exact from him any penalty by reason of absence from his work during such consecutive hours; the additional time for voting above referred to shall be granted at the convenience of the employer.

Railway  
companies.

Exception.

(2) This section extends to railway companies and their employees, except such employees as are actually engaged in the running of trains and to whom such time cannot be allowed without interfering with the manning of the trains.

Penalty.

(3) Any employer who, directly or indirectly, refuses, or by intimidation, undue influence, or in any other way, interferes with the granting to any elector in his employ, of the consecutive hours for voting, as in this section provided, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

#### *Peace and Good Order at a By-election.*

Returning  
officer and  
deputy to be  
conservators  
of peace.May  
demand  
assistance.Arrest  
disturbers.

48. (1) Every returning officer, during a by-election, and every deputy returning officer, during the hours that the polls are opened, is a conservator of the peace with all the powers appertaining to a justice of the peace, and he may

(a) require the assistance of justices of the peace, constables or other persons present, to aid him in maintaining peace and good order at the by-election;

(b) arrest or cause by verbal order to be arrested, and place or cause to be placed in the custody of any constables or other persons, any person disturbing the peace and good order at the by-election; and

(c) cause such arrested person to be imprisoned under an order signed by him until an hour not later than the close of the poll. Imprison  
disturbers.

(2) If a person is charged at a polling station with having committed or attempted to commit the offence of personation, or having voted or attempted to vote knowing that he was for any reason disqualified, non-qualified, or incompetent to vote at the by-election, the deputy returning officer at such polling station, if requested so to do by the poll clerk or an agent or elector representing a candidate, shall take the information on oath of the person making the charge; and such information may be taken in Form No. 51 or in Form No. 52, as the case may be. Summary  
proceedings  
in case of  
personation.

(3) If the person against whom it is proposed to lay the information has not left the polling station the deputy returning officer shall, either on his own motion or at the request of any one proposing forthwith to lay such information, detain or direct the detention of such person until a written information can be drawn up. Detention  
of alleged  
personator.

(4) Upon receiving the information the deputy returning officer shall, on polling day, but not afterwards, issue his warrant, in Form No. 53 or in Form No. 54, as the case may be, for the arrest of the person charged, in order that he may be brought before the magistrate, or one of the magistrates therein named, to answer to the said information and to be further dealt with according to law. Warrant  
of arrest.

(5) Such warrant is sufficient authority for any peace officer, as defined by the *Criminal Code*, to detain such person until he is brought before the magistrate. Execution  
of warrant.

(6) If the correct name of the person charged is unknown to the informant, it is sufficient, in the information and other proceedings, to describe the person charged as a person whose name is to the informant unknown but who is detained under the order of the deputy returning officer; or, the person charged may be described in such other manner as will suitably identify him; and, when the name of the person so charged is ascertained, it shall be stated in any subsequent warrant or proceeding. If name of  
alleged  
personator  
is unknown.

(7) Every poll clerk has the authority of a constable for the purpose of carrying out the provisions of this Act respecting summary proceedings in cases of personation; and every deputy returning officer shall appoint such special constables as he deems necessary for the like purpose, who have full power to act without taking any oath. Constables  
in cases of  
personation.  
Special  
constables.

(8) The magistrate named in any such warrant shall be one having jurisdiction under that part of the *Criminal Code* relating to the summary trial of indictable offences and shall be the nearest magistrate available in the county or judicial district. Jurisdiction  
of  
magistrate.

(9) The provisions of the said part of the *Criminal Code* apply to all proceedings under this Act, against any person or persons accused of personation under subsections (2) to (8). Application  
of Criminal  
Code.

(10) Any deputy returning officer may appoint a constable to maintain order in his polling station throughout polling day; this authority, however, shall not be exercised unless the services of such constable are deemed absolutely necessary; a Appointment  
and oath of  
a constable  
at a polling  
station.



constable may be appointed only when there is actual or threatened disorder, or when it is likely that a large number of electors will seek to vote at the same time; generally, the appointment of one constable shall be made where more than one polling station is established in the same building or in adjoining buildings for a given polling division, to ensure the successive and prompt entrance of the electors into their proper polling station; constables shall be appointed and sworn in on Form No. 55, which shall be printed in the poll book; every deputy returning officer who has appointed a constable, shall state his reasons for making such appointment in the space provided for that purpose on the polling station account.

Strangers  
not to enter  
polling  
districts  
armed.

49. (1) Except the returning officer, the deputy returning officer, the poll clerk, and the constables and special constables appointed by the returning officer or the deputy returning officer for the orderly conduct of the by-election or poll and the preservation of the public peace thereat, no person who has not had a stated residence in the polling division for at least six months next before the day of such election shall come during any part of the day upon which the poll is to remain open into such polling division armed with offensive weapons of any kind, such as firearms, swords, staves, bludgeons or the like, and no person being in such polling division shall arm himself, during any part of the day, with any such offensive weapon, and, thus armed, approach within the distance of one mile of the place where the poll of such polling division is held, unless called upon so to do by lawful authority.

Demand  
that  
weapons be  
delivered up.

(2) The returning officer or deputy returning officer may, during the nomination day and polling day, require any person within half a mile of the place of nomination or of the polling station to deliver to him any firearm, sword, staff, bludgeon or other offensive weapon in the hands or personal possession of such person and the person so required shall forthwith so deliver.

Loud  
speakers,  
ensigns,  
banners, etc.,  
prohibited  
on polling  
day.

(3) No person shall furnish or supply any loud speaker, bunting, ensign, banner, standard or set of colours, or any other flag, to any person with intent that it shall be carried, worn or used on automobiles, trucks or other vehicles, as political propaganda, on the day immediately preceding polling day at the by-election, and before the closing of the polls on such polling day; and no person shall, with any such intent, carry, wear or use, on automobiles, trucks or other vehicles, any such loud speaker, bunting, ensign, banner, standard or set of colours, or any other flag, on the day immediately preceding polling day at the by-election, and before the closing of the polls on such polling day.

Flags,  
ribbons or  
favours  
not to be  
furnished  
or worn.

(4) No person shall furnish or supply any flag, ribbon, label or like favour to or for any person with intent that it be worn or used by any person within the electoral district on polling day at the by-election, or within two days before such polling day, or during the continuance of such election, by any person, as a party badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate; and no person shall use or wear any flag, ribbon, label, or other favour, as

such badge, within the electoral district on polling day at the by-election, or within two days before such polling day.

(5) No spirituous or fermented liquors or strong drinks shall be sold or given at any hotel, tavern, shop or other place within the limits of any polling division, during the whole of the polling day at the by-election. Liquor not to be sold or given on polling day.

(6) Every person who violates, contravenes, or fails to observe any of the provisions of this section is guilty of an indictable offence against this Act, punishable as provided in this Act. Penalty.

*Counting and Reporting the Votes.*

50. (1) Immediately after the close of the poll, in the presence and in full view of the poll clerk and the candidates or their agents, and if the candidates or any of them are absent, then in the presence of such as are present, and of at least two electors if none of the candidates are represented, the deputy returning officer shall, in the following order, Counting the votes by the deputy returning officer.

- (a) count the number of electors whose names appear in the poll book as having voted and make an entry thereof on the line immediately below the name of the elector who voted last, thus: "The number of electors who voted at this election in this polling station is" (stating the number), and sign his name thereto;
- (b) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose and indicate thereon the number of such spoiled ballot papers and seal it up;
- (c) count the unused ballot papers undetached from the books of ballot papers, place them with all the stubs of all used ballots in the special envelope supplied for that purpose and indicate thereon the number of such unused ballot papers;
- (d) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of unused ballot papers and the number of voters whose names appear in the poll book as having voted, in order to ascertain that all ballot papers are accounted for;
- (e) open the ballot box and empty its contents upon a table; and
- (f) count the number of votes given to each candidate on one of the tally sheets supplied, giving full opportunity to those present to examine each ballot paper; the poll clerk and as many as three witnesses shall be supplied with a tally sheet upon which they may keep their own score as each vote is called out by the deputy returning officer.

(2) In counting the votes the deputy returning officer shall reject all ballot papers Rejection of ballots.

- (a) that have not been supplied by him;
- (b) that have not been marked for any candidate;
- (c) on which votes have been given for more than one candidate; or

- (d) upon which there is any writing or mark by which the elector could be identified, but no ballot paper shall be rejected on account of any writing, number, or mark placed thereon by any deputy returning officer.

Counterfoils remaining attached.

(3) If, in the course of counting the votes, any ballot paper is found with the counterfoil still attached thereto, the deputy returning officer shall (carefully concealing the number thereon from all persons present and without examining it himself) remove and destroy such counterfoil; he shall not reject the ballot merely by reason of his former failure to remove the counterfoil; nothing in this subsection relieves the deputy returning officer from any penalty to which he may have become liable by reason of his failure to remove and destroy the counterfoil at the time of the casting of the vote to which it relates.

Ballots not initialled by deputy returning officer.

(4) If, in the course of counting the votes, the deputy returning officer discovers that he has omitted to affix his initials to the back of any ballot paper, as provided by subsection (2) of section 36 and subsection (1) of section 45, and as indicated in Form No. 35, he shall, in the presence of the poll clerk and the agents of the candidates, affix his initials to such ballot paper, and shall count such ballot paper as if it had been initialled by him in the first place, if he is satisfied that the ballot paper is one that has been supplied by him and that such an omission has really been made, and also that every ballot paper supplied to him by the returning officer has been accounted for, as provided by paragraph (d) of subsection (1); nothing in this subsection relieves the deputy returning officer from any penalty to which he may have become liable by reason of his failure to affix his initials on the back of any ballot paper before handing it to the elector.

Objections to ballot papers.

(5) The deputy returning officer shall keep a record on the special form printed in the poll book of every objection made by any candidate, or his agent or any elector present, to any ballot paper found in the ballot box, and shall decide every question arising out of the objection; the decision of the deputy returning officer is final, subject to reversal on recount or on petition questioning the election or return; and every such objection shall be numbered, and a corresponding number placed on the back of the ballot paper and initialled by the deputy returning officer.

Objection to be numbered.

Duties after counting the votes.

(6) All the ballot papers not rejected by the deputy returning officer shall be counted and a list kept of the number of votes given to each candidate and of the number of rejected ballot papers; the ballot papers that respectively indicate the votes given for each candidate shall be put into separate envelopes; all rejected ballot papers shall be put into a special envelope and all such envelopes shall be endorsed so as to indicate their contents, and shall be sealed with gummed paper seals by the deputy returning officer; the deputy returning officer and the poll clerk shall affix their signatures to such seals, and the agents or witnesses present may, if they so desire, affix their signatures thereto.

Disposition of ballot papers.

Oaths by deputy and poll clerk.

(7) The deputy returning officer and the poll clerk, immediately after the completion of the counting of the votes, shall



take and subscribe respectively the oaths in Forms Nos. 56 and 57 which shall remain attached to the poll book.

(8) The deputy returning officer shall make the necessary number of copies of the statement of the poll in Form No. 58, one copy to remain attached to the poll book, one copy to be retained by the deputy returning officer and one copy for the returning officer, which shall be enclosed in a special envelope supplied for the purpose, which envelope he shall seal and deposit by itself in the ballot box; and he shall also deliver one copy of such statement of the poll to each of the candidates' agents, or, in the absence of such agents, to the electors present representing the candidates, and shall mail one copy to each candidate, in the special envelope provided for the purpose, to his address as stated on the ballot paper.

Statement of the poll by deputy.

(9) The poll book, the several envelopes containing the ballot papers—unused, spoiled, rejected, or counted for each candidate—each lot in its proper envelope, the envelope containing the official list of electors and other documents used at the poll shall then be placed in the large envelope supplied for the purpose, and this envelope shall be immediately sealed and placed in the ballot box with (but not enclosing) the envelope containing the official statement of the poll prepared for the returning officer and referred to in subsection (8); the ballot box shall then be locked and sealed with one of the special metal seals prescribed by the Chief Electoral Officer for the use of the deputy returning officer and forthwith transmitted by registered mail or delivered to the returning officer; the returning officer may appoint one or more persons for the purpose of collecting the ballot boxes from a given number of polling stations and such person or persons shall, on delivering such ballot boxes to the returning officer, subscribe to the oath in Form No. 59.

Documents to be enclosed in ballot box.

Locking and sealing ballot box.

(10) The deputy returning officer shall, with the ballot box, transmit or deliver to the returning officer in the envelope provided for that purpose

Ballot box, preliminary statement of the poll and account to be delivered to returning officer.

- (a) the preliminary statement of the poll in the form prescribed by the Chief Electoral Officer, and
- (b) the polling station account filled in and signed by the deputy returning officer.

(11) The returning officer may direct that the ballot boxes shall be returned to him by parcel post, registered, and any ballot box addressed to the returning officer on or subsequent to polling day by his title as such, or with the addition of his name, shall, when posted in Canada, be carried free in the Canadian mails as registered matter.

Ballot boxes delivered free of postage.

(12) If any deputy returning officer omits to enclose within the ballot box, and in the proper envelopes provided for that purpose, any of the documents mentioned in this section, he shall, in addition to any other punishment to which he may be liable, forfeit all right to payment for his services as such officer; and the returning officer shall not issue any warrant in payment of the services of such deputy returning officer if it appears that the omission was made by reason of any want of good faith on the part of the deputy returning officer.

Penalty for failure to enclose necessary documents.

*Proceedings of Returning Officer after Return of Ballot Boxes.*

Safe-keeping of ballot boxes.

51. (1) The returning officer upon the receipt of each ballot box, shall take every precaution for its safe-keeping and for preventing any person other than himself and his election clerk from having access thereto; the returning officer shall examine the special metal seal affixed to each ballot box by the deputy returning officer, pursuant to subsection (9) of section 50, and if such seal is not in good order, the returning officer shall affix his own special metal seal prescribed by the Chief Electoral Officer; the returning officer shall record the condition of the special metal seal required to be affixed, by the deputy returning officer, to every ballot box, in the appropriate column of the returning officer's record book.

Opening of ballot boxes and official addition of votes.

(2) After all the ballot boxes have been received, the returning officer, at the place, day and hour fixed by the proclamation, in Form No. 4, for the official addition of the votes, and in the presence of the election clerk and of such of the candidates or their representatives as are present, shall open such ballot boxes, and from the official statements of the poll therein contained, add the number of votes cast for each candidate.

Attendance of electors in certain cases.

(3) If, at the official addition of the votes, none of the candidates or their representatives are present, it is the duty of the returning officer to secure the presence of at least two electors who shall remain in attendance until such official addition of the votes has been completed.

Special power of returning officer, when statement of poll is missing.

(4) If any ballot box does not appear to contain a statement of the poll either loose or in its separate envelope as hereinbefore provided, the returning officer may, for the purpose of finding a statement of the poll, open the large envelope found in the ballot box and appearing to contain miscellaneous papers; if the power hereby conferred is exercised, all the papers, other than the statement of the poll, if found, shall be placed by the returning officer in a special large envelope which shall be sealed and duly endorsed by him; nothing in this subsection authorizes the opening of any envelope appearing to contain only ballot papers, cast for the various candidates, but in the absence of other information, the endorsements on such envelopes may be adopted as indicating the result of the poll at the polling station in question.

Declaration of name of candidate obtaining largest number of votes.

(5) The name of the candidate who, on the official addition of the votes, is found to have obtained the largest number of votes, shall then be certified in writing and there shall be delivered to such candidate or his representative a certificate giving the number of votes cast for each candidate, in the form prescribed by the Chief Electoral Officer, and a copy of such certificate shall also be forthwith delivered to any other candidate or his representative, if present at the official addition of the votes, or, if any candidate is neither present nor represented thereat, the certificate shall be forthwith transmitted to such candidate by registered mail.

Casting vote of returning officer.

(6) Whenever, on the official addition of the votes, an equality of votes is found to exist between any two or more candidates and an additional vote would entitle one of such candidates to be declared as having obtained the largest number of votes, the returning officer shall cast such additional vote.

52. (1) If the ballot boxes are not all returned on the day fixed for the official addition of the votes, the returning officer shall adjourn the proceedings to a subsequent day, which shall not be more than a week later than the day originally fixed for the purpose of such official addition of the votes.

Adjournment if ballot boxes are missing.

(2) In case the statement of the poll for any polling station cannot be found and the number of votes cast thereat for the several candidates cannot be ascertained, or if, for any other cause, the returning officer cannot, at the day and hour appointed by him for that purpose, ascertain the exact number of votes cast for each candidate, he may thereupon adjourn to a future day and hour the official addition of the votes, and so from time to time, such adjournment or adjournments not in the aggregate to exceed two weeks.

Adjournment for other causes.

(3) If the ballot boxes or any of them have been destroyed or lost, or, for any other reason, are not forthcoming within the time fixed by this Act, the returning officer shall ascertain the cause of the disappearance of such ballot boxes, and shall obtain from each of the deputy returning officers whose ballot boxes are missing, or from any other persons having them, a copy of the statement of the poll furnished to the candidates or their agents as required by this Act, the whole verified on oath.

Provision in case of loss of ballot boxes.

(4) If such statement of the poll or copies thereof cannot be obtained, the returning officer shall ascertain, by such evidence as he is able to obtain, the total number of votes given to each candidate at the several polling stations; and, to that end, may summon any such deputy returning officer, his poll clerk, or any other person, to appear before him at a day and hour to be named by him, and to bring all necessary papers and documents with him, of which day and hour and of the intended proceedings the candidates shall have due notice; and the returning officer may examine on oath such deputy returning officer or poll clerk, or any other person, respecting the matter in question.

If statement of the poll cannot be obtained.

(5) In case of an adjournment by reason of any deputy returning officer not having placed in the ballot box a statement of the poll, the returning officer shall, in the meantime, use all reasonable efforts to ascertain the exact number of votes given for each candidate in the polling station of such deputy returning officer, and, to that end, has the powers set out in subsection (4).

Duty of returning officer if statement not in ballot box.

(6) In any case arising under subsection (3), (4) or (5), the returning officer shall declare the name of the candidate appearing to have obtained the largest number of votes, and shall mention specially, in a report to be sent to the Chief Electoral Officer with the return to the writ, the circumstances accompanying the disappearance of the ballot boxes, or the want of any statement of the poll as aforesaid, and the mode by which he ascertained the number of votes cast for each candidate.

Declaration of name of candidate who has obtained largest number of votes.

(7) Any person refusing or neglecting to attend on the summons of a returning officer issued under this Act, in any case where ballot boxes are not forthcoming and it is necessary to ascertain by evidence the total number of votes given to each candidate at the several polling stations, is guilty of an indictable offence against this Act punishable as provided in this Act.

Penalty for not obeying summons of returning officer.



Custody of  
empty  
ballot boxes.

53. (1) After the close of the by-election, the returning officer shall cause the empty ballot boxes used thereat, to be deposited in the custody of the officer in charge of a building owned or occupied by the Government of Canada, if any, at the place at which the official addition of the votes was held, or if none, of the postmaster of such place, or of the sheriff of any county or judicial district, or of the registrar of deeds of any county or registration division, included, or in part included, in the electoral district, or of any other person designated by the Chief Electoral Officer.

Receipt.

(2) Upon delivery to him of such ballot boxes, the custodian shall issue his receipt, in the form prescribed by the Chief Electoral Officer, and transmit or deliver a copy of such receipt to the returning officer.

*Recount by Judge.*

Application  
to a judge  
for recount.

54. (1) If, within four days after the date on which the returning officer has declared the name of the candidate who has obtained the largest number of votes, it is made to appear, on the affidavit of a credible witness, to the judge hereinafter described, that a deputy returning officer in counting the votes has improperly counted or improperly rejected any ballot papers or has made an incorrect statement of the number of votes cast for any candidate, or that the returning officer has improperly added up the votes, and if the applicant deposits within the said period with the clerk or prothonotary of the court to which such judge belongs the sum of one hundred dollars in legal tender or in the bills of any chartered bank doing business in Canada as security for the costs of the candidate who has obtained the largest number of votes, such judge shall appoint a time to recount the said votes, which time shall, subject to subsection (3), be within four days after the receipt of the said affidavit.

Meaning of  
"judge".

(2) The judge to whom applications under this section may be made shall be the judge as defined in subsection (15) of section 2 within whose judicial district is situated the place where the official addition of the votes was held or the judge acting for such judge pursuant to paragraph (f) of that subsection or a judge designated by the Minister of Justice under that paragraph, and any judge who is authorized to act by this section may act, to the extent so authorized, either within or without his judicial district.

Procedure  
when  
applications  
for recount  
in two or  
more  
districts  
are made.

(3) If applications for a recount of the votes in two or more electoral districts are made under this section to the same judge, such judge shall first proceed with the recount in the electoral district in respect of which the first application is made to him, and successively with the recounts in the electoral district or districts in respect of which applications were later made, and all such recounts shall proceed continuously from day to day until the last of them has been completed.

Notice and  
service.

(4) The judge shall appoint and give written notice to the candidates or their agents of a time and place at which he will proceed to recount the votes, and he may at the time of the application or afterwards, decide and announce that service of the notice will be substitutional, or by mail or by posting, or in any other manner.

(5) Such judge shall also summon and command the returning officer and his election clerk to attend at the time and place so appointed with the parcels containing the used and counted, the unused, the rejected, and the spoiled ballot papers, or the original statements of the poll signed by the deputy returning officers, as the case may be, with respect to or in consequence of which such recount is to take place, which summons and command the returning officer and election clerk shall obey, and they shall attend throughout the proceedings, at which proceedings each candidate is entitled to be present and to be represented by not more than three agents appointed to attend.

Order of  
judge to  
returning  
officer.

Who may be  
present at  
recount.

(6) In case any candidate is not present or represented, any three electors who may demand to attend in his behalf are entitled to attend; and except with the sanction of the judge, no other person shall be present at such recount.

If candidate  
not  
represented,  
authority  
of judge.

(7) At the time and place appointed, and in the presence of such of the said persons as shall attend, the judge shall proceed to make such recount from the statements contained in the several ballot boxes returned by the several deputy returning officers, or to recount all the votes or ballot papers returned by the several deputy returning officers, as the case may be, and shall, in the latter case, open the sealed envelopes containing the used and counted, the unused, the rejected, and the spoiled ballot papers, and he shall not open any other envelopes containing other documents.

Making  
recount.

Opening  
sealed  
packets of  
ballots.

(8) In the case of a recount, the judge shall recount the votes according to the directions in this Act set forth for deputy returning officers at the close of the poll, and shall verify or correct the statement of the poll giving the ballot paper account and the number of votes given for each candidate; and he shall also, if necessary or required, review the decision of the returning officer with respect to the number of votes given for a candidate at any polling place where the ballot box used was not forthcoming when the returning officer made his decision, or when the proper statements of the poll were not found therein, and for the purpose of arriving at the facts as to such missing box and the statements of the poll, the judge has all the powers of a returning officer with regard to the attendance and examination of witnesses, who in case of non-attendance are subject to the same consequences as in case of refusal or neglect to attend on the summons of the returning officer.

Mode of  
proceeding  
with the  
recount.

Powers  
of judge.

(9) If in the course of the recount any ballot paper is found with the counterfoil still attached thereto, the judge shall remove and destroy such counterfoil; he shall not reject the ballot by reason merely of the deputy returning officer's failure to remove the counterfoil, nor shall he reject any ballot paper by reason merely of the deputy returning officer's failure to affix his initials to the back of such ballot paper.

Where  
counterfoil  
is attached.

(10) The judge shall, as far as practicable, proceed continuously, except on Sunday, with the recount, allowing only necessary recess for refreshment, and excluding, except as he shall otherwise openly direct, the hours between six o'clock in the afternoon and nine in the succeeding forenoon.

Proceedings  
to be  
continuous.

During  
excluded  
time  
documents  
to be under  
seal.

(11) During such recess or excluded time the ballot papers and other documents shall be kept enclosed in parcels under the seals of the judge and of such other of the said persons as desire to affix their seals thereto.

Supervision  
of sealing.

(12) The judge shall personally supervise such parcelling and sealing and take all necessary precautions for the security of such papers and documents.

Procedure at  
conclusion  
of recount.

(13) At the conclusion of the recount, the judge shall seal all the ballot papers in separate packages, add the number of votes cast for each candidate as ascertained at the recount, and forthwith certify in writing, in the form prescribed by the Chief Electoral Officer, the result of the recount to the returning officer, who shall, as prescribed in subsection (1) of section 56, declare to be elected the candidate who has obtained the largest number of votes; the judge shall deliver a copy of such certificate to each candidate, in the same manner as the prior certificate delivered by the returning officer under subsection (5) of section 51; the judge's certificate shall be deemed to be substituted for the certificate previously issued by the returning officer.

Equality  
of votes.

(14) In case of an equality of votes the returning officer, notwithstanding that he may have already voted pursuant to subsection (6) of section 51, has and shall cast another or deciding vote.

(15) If the recount does not so alter the result of the poll as to affect the return, the judge shall

Costs.

(a) order the costs of the candidate appearing to be elected to be paid by the applicant, and

To be taxed.

(b) tax such costs, following as closely as possible the tariff of costs allowed with respect to proceedings in the court in which the judge ordinarily presides.

Disposal of  
deposit;  
action for  
balance.

(16) The moneys deposited as security for costs shall, so far as necessary, be paid out to the candidate in whose favour costs are awarded and if the said deposit is insufficient the party in whose favour the costs are awarded has his action for the balance.

*Procedure if the Judge fails to Comply.*

Failure of  
judge to act.

55. (1) Except in the electoral districts of Yukon and Mackenzie River, in case of any omission, neglect, or refusal of the judge to comply with the foregoing provisions in respect of the recount, or to proceed therewith, any party aggrieved may, within eight days thereafter, make application

(a) in the Province of Ontario, to a judge of the High Court division of the Supreme Court;

(b) in the Provinces of Quebec, Manitoba or Saskatchewan, to a judge of the Court of Queen's Bench; or

(c) in the Provinces of Nova Scotia, New Brunswick, Prince Edward Island, British Columbia, Alberta, or Newfoundland, to a judge of the Supreme Court of the Province.

Application  
upon  
affidavit.

(2) Such application may be made upon affidavit, which need not be entitled in any matter or cause, setting forth the facts relating to such omission, refusal or neglect.



(3) The judge to which the application is made shall, if it appears that there is such omission, refusal or neglect, make an order appointing the time, within eight days, and a place for the consideration of such application, and directing the attendance of all parties interested at such time and place, and giving such directions for the service of the order and of the affidavit or affidavits upon which the order was granted, upon the judge so alleged to be in default, and upon the other parties interested, as he thinks proper.

Order of  
judge.

(4) If the circumstances appear to the judge to warrant it, he may direct that service upon any such parties may be substitutional, or by mail or by posting, or in any other manner.

Service  
of notice.

(5) The judge complained of, or any of the parties interested, may file in the office of the clerk, registrar or prothonotary of the court of the judge to whom the application is made, affidavits in reply to those filed by the applicant, and, upon demand, shall furnish the applicant with copies thereof.

Affidavits  
may be filed.

(6) At the time and place appointed by the judge or at any other time and place to which the hearing may be adjourned, after hearing the parties, or such of them as are present, or their counsel, the judge or some other judge of the same court shall make such order as the facts of the case in the opinion of the judge warrant, either dismissing the application or ordering the judge in default to take such action as is necessary in order to comply with the requirements of this Act in respect of the recount and to proceed with and complete such recount and the judge may make such order as to costs as he thinks proper.

Order of  
court after  
hearing.

Costs.

(7) A judge so found to be in default as aforesaid shall forthwith carry out the directions of any order so made; and there shall be the same remedies for the recovery of the costs awarded by such order as for costs in ordinary cases in the court to which the judge making such directions or order belongs.

Judge to  
obey order.

(8) In the event of a return to the writ of election having been, at the time of issue of an order under this section, made by the returning officer to the Chief Electoral Officer under the provisions of section 56, the Chief Electoral Officer shall, upon being furnished with a certified copy of such order, send back to the returning officer all election papers required for use on the recount; upon receiving the judge's certificate of the result of the recount, the returning officer shall as hereinbefore provided make and give due notice of a fresh declaration of the election which shall replace any previous declaration, and if the result of the recount is that some person other than the person named in the original return is certified to be returned a second return to the writ shall be made by the returning officer and shall be dealt with in all respects in the same way as, and has the effect of cancelling, the original return; if, however, the result of the recount is to confirm the original return the returning officer shall forthwith send back the papers to the Chief Electoral Officer, but shall not make any second or substitute return to the writ of election.

Fresh  
declaration  
by returning  
officer if  
required as  
result of  
recount.

Not required  
if original  
return con-  
firmed.

#### *Election Return.*

56. (1) The returning officer, immediately after the sixth day next following the date upon which he has completed the official addition of the votes, unless before that time he has

Return of  
elected  
candidate.

received notice that he is required to attend before a judge for the purpose of a recount, and, where there has been a recount, then immediately thereafter, the returning officer shall forthwith declare elected the candidate who has obtained the largest number of votes by completing the return to the writ on the form provided for that purpose on the back of the writ; the returning officer shall then transmit by registered mail the following documents to the Chief Electoral Officer:

- (a) the election writ with his return in Form No. 60 endorsed thereon that the candidate having the majority of votes has been duly elected;
- (b) a report of his proceedings in the form prescribed by the Chief Electoral Officer;
- (c) the recapitulation sheets, in the form prescribed by the Chief Electoral Officer, showing the number of votes cast for each candidate at each polling station, and making such observations as the returning officer may think proper as to the state of the election papers as received from his deputy returning officers;
- (d) the statements of the polls from which the official addition of the votes was made;
- (e) the reserve supply of undistributed blank ballot papers;
- (f) the enumerators' record books used in urban polling divisions;
- (g) the index books prepared by enumerators in rural polling divisions;
- (h) the revising officers' record sheets and other papers relating to the revision of the lists of electors in urban polling divisions;
- (i) the returns from the various polling stations enclosed in sealed envelopes, as prescribed by section 50, and containing the poll book used at the poll, a packet of stubs and of unused ballot papers, packets of ballot papers cast for the several candidates, a packet of spoiled ballot papers, a packet of rejected ballot papers and a packet containing the official list of electors used at the poll, the written appointments of candidates' agents and the used transfer certificates; and
- (j) all other documents used for the by-election.

Return not to be made until certificate of judge received.

Duplicate of return to each candidate.

If return is irregular.

(2) In case of such receipt of notice of recount the returning officer shall delay transmission of such return and report until he has received from the judge a certificate of the result of such recount, whereupon he shall transmit the same in manner hereinbefore directed.

(3) The returning officer shall forward to each of the candidates a duplicate or copy of the return to the writ made by him.

(4) A premature return shall be deemed not to have reached the Chief Electoral Officer until the same should have reached him in due course, and he shall, if circumstances so require, send back such return and any or all election documents connected therewith to the returning officer for completion or correction; the Chief Electoral Officer may, moreover, send back to the returning officer any return which does not comply in any respect with the provisions of this Act.

(5) The Chief Electoral Officer shall, on receiving the return of the member elected to serve in the House of Commons, enter it, in the order in which such return is received by him, in a book to be kept by him for such purpose and thereupon immediately give notice in an ordinary or special issue of the *Canada Gazette* of the name of the candidate so elected and in the order in which it was received, and shall also forward to the Comptroller of the Treasury a certified statement of the number of votes cast for each candidate, and when the Comptroller of the Treasury has satisfied himself that, pursuant to subsection (14) of section 21, a candidate is entitled to the return of his deposit, the Comptroller of the Treasury shall return it accordingly.

Notice of  
return in  
*Canada  
Gazette*.

Statement  
to Comp-  
troller of the  
Treasury.

Return of  
deposit.

(6) The Chief Electoral Officer shall, at the end of each year, cause to be printed a report giving, by polling divisions, the number of votes polled for each candidate, the number of rejected ballots, the number of names on the list of electors, together with any other information that he may deem fit to include, relating to the by-elections held during the year.

Annual report  
by  
Chief  
Electoral  
Officer.

57. If a returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the House of Commons for his electoral district, and if it has been determined on the hearing of an election petition respecting the by-election for such electoral district that such person was entitled to have been returned, the returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election, shall forfeit to the person aggrieved the sum of fifteen hundred dollars and costs in addition to all damages sustained.

Penalty  
for delay,  
neglect or  
refusal of  
returning  
officer to  
return  
elected  
candidate.

#### *Report of Chief Electoral Officer.*

58. (1) The Chief Electoral Officer shall before or within ten days after the commencement of any session of Parliament make a report to the Speaker of the House of Commons as to any matter or event which has arisen or occurred in connection with the administration of his office in the interval since the date of his next preceding report and which he considers should be brought to the attention of the House, and he shall in such report suggest what, if any, amendments are, in his opinion, desirable for the more convenient administration of the law.

Report of  
Chief  
Electoral  
Officer to  
Speaker of  
House of  
Commons.

(2) Every candidate at a by-election and every official agent of any candidate has the right to send to the Chief Electoral Officer in writing any complaint he may have to make with respect to the conduct of the by-election or of any election officer, and to suggest any such changes or improvements in the law as he may consider desirable; every such complaint or statement shall be included by the Chief Electoral Officer in his next following report to the Speaker of the House of Commons, with such recommendation, if any, as he may see fit to make thereon.

Complaints  
to Chief  
Electoral  
Officer.

(3) Any report received from the Chief Electoral Officer by the Speaker shall be forthwith submitted by him to the House of Commons.

Submission  
to House of  
Commons.



*Custody of Election Documents by Chief Electoral Officer.*

Chief  
Electoral  
Officer to  
retain  
election  
documents.

59. (1) The Chief Electoral Officer shall retain in his possession the election documents or election papers, as defined by subsection (7) of section 2, transmitted to him by the returning officer, with the return to the writ, for at least one year, if the by-election is not contested during that time, and, if the by-election is contested, then for one year after the termination of such contestation.

Inspection  
of election  
documents.

(2) No such election documents or election papers in the custody of the Chief Electoral Officer shall be inspected or produced except under a rule or order of a Superior Court or a judge thereof, which, if and when made, the Chief Electoral Officer shall obey.

Election  
documents  
or election  
papers  
receivable in  
evidence  
when  
certified  
by Chief  
Electoral  
Officer.

(2a) Where a Superior Court or a judge thereof has ordered the production of any election documents or election papers, the Chief Electoral Officer need not, unless the court or judge otherwise orders, appear personally to produce such documents or papers, but it is sufficient if the Chief Electoral Officer certifies such documents or papers and transmits them by registered mail to the clerk or registrar of the court, who shall, when such documents have served the purposes of the court or judge, return them by registered mail to the Chief Electoral Officer; any such documents or papers purporting to be certified by the Chief Electoral Officer are receivable in evidence without further proof thereof.

Order of  
court.

(3) Such rule or order may be granted by such court or judge on being satisfied by evidence on oath that the inspection or production of such election documents or election papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to a by-election, or for the purpose of a petition that has been filed questioning an election or return.

Conditions  
of inspection.

(4) Any such rule or order for the inspection or production of election documents or election papers may be made subject to such conditions as to persons, time, place and mode of inspection or production as the court or judge deems expedient.

Inspection of  
instructions,  
correspondence  
and  
other  
reports.

(5) All other reports or statements received from election officers, all instructions issued by the Chief Electoral Officer pursuant to the provisions of this Act, all decisions or rulings by him upon points arising thereunder, and all correspondence with election officers or others in relation to a by-election shall be public records, and may be inspected by any person upon request during business hours.

Extracts.

(6) Any person may take extracts therefrom and is entitled to certified copies of the papers relating to any subject upon payment for the preparation of such certified copies at the rate of ten cents per folio of one hundred words.

Evidence.

(7) Any such copies purporting to be certified by the Chief Electoral Officer under his hand are receivable in evidence without further proof thereof.

*Fees and Expenses of Election Officers.*

Tariff of  
fees and  
expenses.

60. (1) Upon the recommendation of the Chief Electoral Officer, the Governor in Council may make a tariff of fees,

costs, allowances and expenses to be paid and allowed to returning officers and other persons employed at or with respect to elections under this Act, and may, from time to time, revise and amend such tariff.

(2) A copy of any such tariff and of any amendment thereof shall be laid before the House of Commons within the first fifteen days of the next ensuing session of Parliament.

Copy to House of Commons.

(3) Such fees, costs, allowances, and expenses shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, and they shall be distributed as follows:

Mode of payment of fees and expenses.

(a) with regard to polling stations other than advance polling stations the fees or allowances, fixed by the tariff of fees, established pursuant to subsection (1), of deputy returning officers and poll clerks, and for the rental of polling stations, shall, except in the electoral districts of Yukon and Mackenzie River, be paid direct to each claimant by special warrants drawn on the Comptroller of the Treasury and finally issued by the returning officer; the necessary forms of warrants shall be furnished to the returning officer by the Chief Electoral Officer; such warrants shall bear the printed signature of the Chief Electoral Officer, and when countersigned by the returning officer, are negotiable without charge at any chartered bank in Canada; immediately after the official addition of the votes has been held, the returning officer shall fill in the necessary spaces in the warrants, affix his signature thereon, and despatch the warrants by mail to the deputy returning officers, poll clerks, and landlords of polling stations entitled to receive them;

By special warrants in certain cases.

(b) all claims made by other election officers, including the returning officer, election clerk, enumerators, revising officers, advance polling station officers, constables, and various other claims relating to the conduct of a by-election, shall be paid by separate cheques issued from the office of the Comptroller of the Treasury at Ottawa, and sent direct to each person entitled to payment; and

By separate cheques in other cases.

(c) in the electoral districts of Yukon and Mackenzie River, the fees of deputy returning officers, poll clerks, and landlords of polling stations, shall be paid by separate cheques issued from the office of the Comptroller of the Treasury.

Mode of payment in Yukon and Mackenzie River.

(4) The returning officer shall certify all accounts submitted by him to the Chief Electoral Officer, and shall be responsible for their correctness.

Certification.

(5) The returning officer shall exercise special care in the certification of enumerators' accounts; any enumerator who wilfully and without reasonable excuse omits from the list of electors prepared by him (or by him jointly with another enumerator) the name of any person entitled to have his name entered thereon, or enters on the said list the name of any person who is not qualified as an elector in his polling division, shall forfeit his right to payment for his services and expenses;

Responsibility of returning officer.

in all such cases, the returning officer shall not certify the account of the enumerator concerned, but shall send it uncertified to the Chief Electoral Officer with a special report attached thereto stating the relevant facts; moreover, the Comptroller of the Treasury shall not pay any urban enumerator's account until after the revision of the lists of electors has been completed.

Fees, etc.,  
may be  
increased by  
Governor in  
Council.

(6) Whenever it appears to the Governor in Council that the fees and allowances provided for by the tariff are not sufficient remuneration for the services required to be performed at any election, or that any claim for any necessary service performed, or for materials supplied for or at an election, is not covered by such tariff, he may authorize the payment of such sum or additional sum for such services or materials supplied as is considered just and reasonable.

Payment of  
election  
printing and  
supplies.

(7) Any expenses incurred by the Chief Electoral Officer for printing election material and for the purchase of election supplies shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Taxation  
of accounts.

61. (1) The Chief Electoral Officer shall, in accordance with the tariff of fees established pursuant to subsection (1) of section 60, tax all accounts relating to the conduct of an election and shall transmit such accounts forthwith to the Comptroller of the Treasury.

Rights  
saved.

(2) Notwithstanding anything in this section, the rights, if any, of all claimants to compel payment or further payment by process of law remain unimpaired.

#### *Official Agent and Election Expenses of Candidates.*

Appointment  
of official  
agent.

62. (1) Every candidate shall appoint an official agent, in this Act termed "the official agent", whose name, address and occupation shall be declared to the returning officer, in the nomination paper in Form No. 27, by or on behalf of the candidate, on or before nomination day and shall be published in the Notice of Grant of a Poll in Form No. 30.

Case of  
death  
or legal  
incapacity  
of official  
agent.

(2) In the event of the death or legal incapacity of any such agent, the candidate shall forthwith appoint another, making a similar declaration in writing to the returning officer.

Election  
officers  
ineligible  
as official  
agents.

(3) No returning officer, deputy returning officer or election clerk or the partner or clerk of either of them, is eligible to act as the official agent for any candidate in the management or conduct of his election, and if any such officer so acts he is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

No  
payment  
to be made  
except  
through  
official agent.

(4) Subject to the subsequent provisions of this section, no payment and no advance or deposit shall be made before, during or after an election by a candidate or by any agent on behalf of a candidate or by any other person, in respect of any expenses incurred on account of or in respect of the conduct or management of such election, otherwise than by or through the official agent; and all money provided by any person other than the candidate for any expenses incurred on account of or in respect of the conduct or management of the election, whether as contribution, gift, loan, advance, deposit or otherwise, shall be paid to the official agent and not otherwise; this subsection shall not be deemed to apply to payment



- (a) by a candidate, out of his own money for his personal expenses to an aggregate amount not exceeding two thousand dollars, or
- (b) by any person, out of his own money, for any small expense legally incurred by him, if no part of the sum so paid is repaid to him.
- (5) Every person who makes any payment, advance or deposit in contravention of subsection (4), or pays in contravention thereof any money so provided as aforesaid is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act. Penalty for contravention.
- (6) A contract whereby any expenses are incurred on account of or in respect of the conduct or management of an election is not enforceable against a candidate unless made by the candidate himself or by his official agent or by a sub-agent of the official agent thereto authorized in writing; but inability to enforce such contract against the candidate does not relieve him from the consequences of any corrupt or illegal practice having been committed by his agent. No action against candidate unless contract made by himself or official agent.
- (7) Every payment made by or through an official agent in respect of any expenses incurred on account of or in respect of the conduct or management of an election, shall, except where less than ten dollars, be vouched for by a bill stating the particulars and by a receipt. Bill of particulars.
- (8) All persons who have any bills, charges or claims upon any candidate for or in relation to any election shall send in such bills, charges or claims within one month after the day on which the candidate returned has been declared elected, to the official agent of the candidate, or if such agent is dead or legally incapable, to the candidate in person; otherwise such persons shall be barred of the right to recover such claims or any part thereof. Claims to be sent in within one month, or rights to be barred. If no agent.
- (9) Subject to such exception as may be allowed in pursuance of this Act, an official agent who pays a claim in contravention of this enactment is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act. Penalty for illegal payment.
- (10) In the event of the death, within such month, of any person claiming the amount of any such bill, charge or claim, the legal representative of such person shall send in the bill, charge or claim within one month after his obtaining probate or letters of administration, or of his becoming otherwise able to act as legal representative; otherwise the right to recover such bill, charge or claim shall be barred as aforesaid. Death of claimant.
- (11) All expenses incurred by or on behalf of a candidate on account of or in respect of the conduct or management of an election shall be paid within fifty days after the day on which the candidate returned was declared elected, and not otherwise; and, subject to such exception as may be allowed in pursuance of this Act, an official agent who makes a payment in contravention of this provision is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act. Payment within fifty days. Penalty for contravention.

Payment of lawful claims sent in after time prescribed.

(12) Notwithstanding anything in this section, where cause is at any time shown to the satisfaction of a judge competent to recount the votes given at the election, such judge, on application by the claimant, or by the candidate or his official agent, may by order give leave for the payment by a candidate through his official agent of a disputed claim or of a claim for any such expenses as aforesaid, although sent in after the time in this section mentioned for sending in claims, or although sent in to the candidate and not to the official agent.

Election not void in certain cases in consequence of illegal payment.

(13) Where an election court reports that it has been proved by a candidate that any payment made by an official agent in contravention of this section was made without the sanction or connivance of such candidate the election of such candidate is not void nor is he subject to any incapacity by reason only of such payment having been made in contravention of this section.

Action for recovery in claims deemed disputed.

(14) If the official agent in the case of any claim sent in to him within the time limited by this Act disputes it, or refuses or fails to pay it within the period of fifty days after the day on which the candidate returned was declared elected, the claim shall be deemed to be a disputed claim and the claimant may, if he thinks fit, bring an action to recover the same in any competent court; and any sum paid by the candidate or his agent in pursuance of the judgment or order of such court shall be deemed to be paid within the time limited by this Act, and to be an exception from the provisions of this Act requiring claims to be paid by the official agent.

Payment in pursuance of judgment deemed exception.

Candidate's personal expenses up to \$2,000.

(15) The candidate may pay any personal expenses incurred by him on account of or in connection with or incidental to such election to an amount not exceeding two thousand dollars, but any further personal expenses so incurred by him shall be paid by his official agent.

Written statement of personal expenses.

(16) The candidate shall send to his official agent within the time limited by this Act for sending in claims a written statement of the amount of personal expenses paid by such candidate.

Petty expenses.

(17) Any person may, if so authorized in writing by the official agent, pay any necessary expenses for stationery, postage, telegrams and other petty expenses to a total amount not exceeding that named in the authority, but any excess above the total amount so named shall be paid by the official agent.

Statement of particulars and vouchers.

(18) A statement of the particulars of payments made by any person so authorized shall be sent to the official agent within the time limited by this Act for the sending in of claims and shall be vouched for by a bill containing the receipt of that person.

Return of election expenses by official agent.

63. (1) Within two months after the candidate returned has been declared elected, the official agent of every candidate shall transmit to the returning officer a true signed return substantially in Form No. 61, in this Act referred to as a return respecting election expenses, containing detailed statements as respects that candidate of

(a) all payments made by the official agent, together with all the bills and receipts, which bills and receipts are in

this Act included in the expression "return respecting election expenses";

- (b) the amount of personal expenses, if any, paid by the candidate;
- (c) the disputed claims, so far as the official agent is aware;
- (d) the unpaid claims, if any, in respect of which application has been or is about to be made pursuant to subsection (12) of section 62, so far as the official agent is aware; and
- (e) all money, securities and equivalent of money received by or promised to the official agent by the candidate or any other person, for the purpose of expenses incurred or to be incurred on account of or in respect of the conduct or management of the election, naming every person from whom the same may have been received or by whom such promise was made, showing as to each sum whether it was received or merely promised, whether in money or otherwise and whether as contribution, loan, advance, deposit or otherwise.

(2) The return so transmitted shall include all bills and vouchers relative thereto and be accompanied by a declaration made by the official agent before a notary public or a justice of the peace in Form No. 62, which declaration is in this Act referred to as a declaration respecting election expenses. Vouchers, and declaration in Form No. 62.

(3) Within ten weeks after the candidate returned has been declared elected, the candidate shall transmit or cause to be transmitted to the returning officer a declaration made by the candidate before a notary public or a justice of the peace in Form No. 63 or in Form No. 64, which declaration is in this Act referred to as a declaration respecting election expenses. Candidate's declaration in Form No. 63 or No. 64.

(4) Whenever by reason of the death of a creditor no bill has been sent in within such period of two months, the official agent shall, within one month after such bill has been sent in, and likewise with respect to all payments approved by a judge pursuant to subsection (12) of section 62 of which the official agent is aware shall, within one week after such approval, as fully as possible, comply with the provisions of this section by means of a supplementary return. Supplementary return in case of death of creditor.

(5) The returning officer, within ten days after he receives from the official agent any return or supplementary return respecting election expenses, shall publish at the expense of the candidate a summary thereof in the form prescribed by the Chief Electoral Officer, with the signature of the official agent thereto in one newspaper published or circulated in the electoral district wherein the election was held. Publication of summary by returning officer.

(6) The returning officer shall preserve all such returns and declarations with the bills and vouchers relating thereto and at all reasonable times during six months next after they have been delivered to him shall permit any elector to inspect them and to make extracts therefrom on payment of a fee of twenty cents; and after the expiration of such six months' period, the documents may be destroyed, or, if after six months and before the destruction the candidate or his official agent applies for their return, they shall be returned to the candidate. Bills, etc., to be preserved. After six months to be destroyed or returned.



Penalty for member sitting in contravention.

(7) If the said return and declarations are not transmitted before the expiration of the time limited for the purpose, the candidate shall not after the expiration of such time, sit or vote in the House of Commons as member until either such return and declarations have been transmitted or until the date of the allowance of such an authorized excuse for the failure to transmit the same, as in this Act mentioned, and if he sits or votes in contravention of this enactment he shall forfeit five hundred dollars with costs for every day on which he so sits or votes to any person who sues therefor.

Default in delivering statements.

(8) If without such authorized excuse as in this Act mentioned a candidate or an official agent fails to comply with the foregoing requirements of this section, he is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Furnishing false statements.

(9) If any candidate or official agent knowingly makes a false declaration respecting election expenses he is guilty of a corrupt practice and of an indictable offence against this Act punishable as provided in this Act.

When candidate out of Canada at time of return.

(10) Where a candidate is out of Canada at the time when the return is so transmitted to the returning officer, the declaration required by this section may be made by him within fourteen days after his return to Canada, and in that case shall be forthwith transmitted to the returning officer, but the delay hereby authorized in making such declaration does not exonerate the official agent from complying with the provisions of this Act as to the return and declaration respecting election expenses.

Agent not exonerated.

Statement of payments in pursuance of leave and copy of judge's order.

(11) Where after the date at which the return respecting election expenses is transmitted leave is given pursuant to subsection (12) of section 62, for any claims to be paid, the agent shall, within seven days after the payment thereof, transmit to the returning officer a return of the sums paid in pursuance of such leave, accompanied by a copy of the order of the judge giving the leave, and in default he shall be deemed to have failed to comply with the requirements of this section.

Where return and declaration not transmitted.

(12) Where the return and declarations respecting election expenses of a candidate at an election have not been transmitted as required by this Act, or, being transmitted, contain some error or false statement, then,

If on account of candidate's illness, etc.

(a) if the candidate applies to a judge competent to recount the votes given at the election and shows that the failure to transmit such return and declarations or any of them, or any part thereof, or any error or false statement therein, has arisen by reason of his illness, or of the absence, death, illness or misconduct of his official agent or of any clerk or officer of such agent, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant; or

Or agent's illness, etc.

(b) if the official agent of the candidate applies to the said judge and shows that the failure to transmit the return and declarations which he was required to transmit, or any part thereof, or any error or false statement therein, arose by reason of his illness or of the death or illness

of any prior official agent of the candidate, or of the absence, death, illness or misconduct of his clerk or officer of an official agent of the candidate, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant;

the judge may, after such notice of the application in the electoral district and on production of such evidence of the grounds stated in the application and of the good faith of the application, and otherwise as to the judge seems fit, make such order for allowing an authorized excuse for the failure to transmit such return and declaration, or for an error or false statement in such return and declaration as to the judge seems just.

(13) Where it appears to the judge that any person being or having been an official agent has refused or failed to make such return or to supply such particulars as will enable the candidate and his official agent respectively to comply with the provisions of this Act as to the return and declaration respecting election expenses, the judge before making an order allowing the excuse as in this section mentioned shall order such person to attend before him, and on such person's attendance shall, unless such person shows cause to the contrary, order him to make the return and declaration, or to deliver a statement of the particulars required to be contained in the return, as to the judge seems just, and to make or deliver the same within such time and to such person and in such manner as the judge may direct, or may order such person to be examined with respect to such particulars, and if the person so ordered does not comply with such order he is guilty of an indictable offence against this Act punishable as provided in this Act.

(14) The order may make the allowance conditional upon the making of the return and declaration in a modified form or within an extended time, and upon the compliance with such other terms as to the judge seems best calculated for carrying into effect the objects of this Act; and an order allowing an authorized excuse relieves the applicant for the order from any liability or consequence under this or any other Act in respect of the matters excused by the order; and where it is proved by the candidate to the judge that any act or omission of the official agent in relation to the return and declaration respecting election expenses was without the sanction or connivance of the candidate, and that the candidate took all reasonable means for preventing such act or omission, the judge shall relieve the candidate from the consequences of such act or omission on the part of his official agent.

(15) The date of the order or, if conditions and terms are to be complied with, the date at which the applicant fully complies with them, shall for the purposes of this section be deemed the date of the allowance of the excuse.

### *Executory Contracts Void.*

64. Every executory contract, promise or undertaking in any way referring to, arising out of or depending upon any election under this Act, even for the payment of lawful expenses or the doing of some lawful act, is void in law, but nothing in

this section extends to or affects any executory contract, agreement, promise or undertaking by a candidate or the official agent of a candidate of which there is a memorandum or note in writing signed by such candidate or his official agent.

*Bribery, Treating, Undue Influence and Personation.*

- |  |  |
|--|--|
| Penalty.   | <b>65.</b> (1) Every person is guilty of the corrupt practice of bribery and of an indictable offence against this Act punishable as provided in this Act, who   |
| Giving money, etc., to procure votes.                    | (a) directly or indirectly, by himself or by any other person on his behalf, gives, lends or agrees to give or lend, or offers or promises, or promises to procure or to endeavour to procure, any money or valuable consideration, to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce any elector to vote or refrain from voting, or corruptly does any such act on account of such elector having voted or refrained from voting at any election;                  |
| Giving or promising employment.                          | (b) directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour to procure, any office, place or employment, to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce such elector to vote or refrain from voting, or corruptly does any such act as aforesaid, on account of any elector having voted or refrained from voting at any election; |
| Gift or promise in order to obtain return of any person. | (c) directly or indirectly, by himself or any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in the House of Commons, or the vote of any other elector at any election;   |
| Procuring return in consequence.                         | (d) upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages or promises or endeavours to procure the return of any person to serve in the House of Commons, or the vote of any elector at an election;  |
| Advancing money to be used in bribery.                   | (e) advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election;   |
| Demanding bribe of candidate or agent.                   | (f) directly or indirectly, by himself or by any other person on his behalf, on account of and as payment for voting or for his having voted or for illegally agreeing or having agreed to vote for any candidate at an election, or on account of and as payment for his having illegally assisted or agreed to assist any candidate at an election, applies to such candidate, or to his agent or agents, for the gift or loan of any money or valuable consideration,   |



or for the promise of the gift or loan of any money or valuable consideration or for any office, place or employment, or for the promise of any office, place or employment;

- (g) before or during any election, directly or indirectly by himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election; Receiving money, etc. before or during an election.
- (h) after any election, directly or indirectly, by himself or by any other person in his behalf, receives any money or valuable consideration on account of such or any other person having voted or refrained from voting, or having induced any other person to vote or refrain from voting, at any election; or Or after an election.
- (i) in order to induce a person to allow himself to be nominated as a candidate, or to refrain from becoming a candidate or to withdraw, if he has become a candidate, gives or procures any office, place or employment, or agrees to give or procure, or offers or promises to procure, or to endeavour to procure any office, place or employment, for such person. Bribery of candidates.

(2) The terms of this section shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any expenses legally payable and *bona fide* incurred at or concerning any election, and the actual personal expenses of any candidate and his expenses for professional services actually performed and for the fair cost of printing and advertising and for halls or rooms for the holding of meetings shall be held to be expenses legally payable. Legal expenses.

66. Every person is guilty of the corrupt practice of treating and of an indictable offence against this Act punishable as provided in this Act, who, corruptly, by himself or by any other person, either before, during or after an election, directly or indirectly gives or provides, or causes to be given or provided, or is accessory to the giving or providing, or pays or engages to pay wholly or in part the expense of giving or providing any meat, drink, refreshment or provision, or any money or ticket or other means or device to enable the procuring of any meat, drink, refreshment or provision, to or for any person for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at such election or on account of such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at such election, and every elector who corruptly accepts or takes any such meat, drink, refreshment or provision or any such money or ticket, or who adopts such other means or device to enable the procuring of such meat, drink, refreshment or provision is guilty likewise. Treating of any person. Treating of elector during election.

67. (1) Every person is guilty of the corrupt practice of undue influence and of an indictable offence against this Act punishable as provided in this Act, who, directly or indirectly, by himself or by any other person on his behalf, makes use of, Undue influence.

or threatens to make use of, any force, violence or restraint, or inflicts, or threatens the infliction, by himself or by or through any other person, of any temporal or spiritual injury, damage, harm or loss, or in any manner practises intimidation upon or against any person, in order to induce or compel such person to vote for any candidate, or to refrain from voting, or on account of such person having voted for any candidate or refrained from voting at any election or who, by abduction, duress, or any false or fraudulent pretence, device or contrivance, impedes, prevents or otherwise interferes with the free exercise of the franchise of any elector, or thereby compels or induces or prevails upon any elector, either to vote for any candidate or to refrain from voting at any election.

False  
pretence  
interpreted.

(2) It shall be deemed a false pretence within the meaning of this section to represent to an elector, directly or indirectly, that the ballot to be used, or the mode of voting at an election, is not secret.

Personation  
and sub-  
ornation of  
personation.

68. Every person is guilty of the corrupt practice of personation, and of an indictable offence against this Act punishable as provided in this Act, who at an election

- (a) applies for a ballot paper in the name of some other person, whether such name is that of a person living or dead, or of a fictitious person;
- (b) having voted once at such election, applies at the same election for another ballot paper; or
- (c) aids, abets, counsels, procures or endeavours to procure the commission by any person of personation as herein defined.

Penalty for  
voting if  
disqualified,  
not  
qualified or  
incompetent.

69. Every one is guilty of a corrupt practice and of an indictable offence against this Act punishable as provided in this Act who, at an election, votes or attempts to vote knowing that he is for any reason disqualified, non-qualified or incompetent to vote thereat.

#### *Miscellaneous Offences.*

Liability of  
election  
officers.

70. (1) Every election officer who omits to comply with the provisions of this Act is liable on summary conviction to a penalty of not less than fifty dollars nor more than two hundred dollars, and every election officer who refuses to comply with any of the provisions thereof, is, on summary conviction, liable to a penalty of not less than two hundred dollars nor more than five hundred dollars, unless, in either case, such election officer establishes that, in so omitting or refusing compliance, he was acting in good faith, that his omission or refusal was reasonable, and that he had no intention to affect the result of the election or to permit any person to vote whom he did not *bona fide* believe was qualified to vote, or to prevent any person from voting whom he did not *bona fide* believe was not qualified to vote.

Non-  
compliance  
defined.

(2) It shall be deemed to be a non-compliance with the provisions of this Act to do or omit to do any act that results in the reception of a vote that should not have been cast, or in the non-reception of a vote which should have been cast.

Moiety to  
prosecutor.

(3) The person instituting any proceedings leading to the conviction of any election officer under this section is entitled to

receive one-half of the penalty recovered, and it shall be paid to him accordingly, unless such proceeding was instituted at the direction of the Chief Electoral Officer or unless the Chief Electoral Officer, at the request of the person by whom the proceeding was instituted, has intervened in such proceeding and has met the whole or any part of the expense thereby incurred.

(4) When it is made to appear to the Chief Electoral Officer that any election officer has been guilty of any offence against this Act, it is his duty to make such inquiry as appears to be called for in the circumstances, and if it appears to him that proceedings for the punishment of the offence have been properly taken or should be taken and that his intervention would be in the public interest, to assist in carrying on such proceedings or to cause them to be taken and carried on and to incur such expense as it may be necessary to incur for such purposes.

Inquiry into offences and power to take proceedings.

(5) The Chief Electoral Officer has the like powers in the case of any offence that it is made to appear to him to have been committed by any person under section 17, section 22, section 29, subsections (2) and (6) of section 49, subsection (12) of section 50, subsection (7) of section 52 or section 72.

Further powers.

(6) For the purpose of any inquiry held under the provisions of this section, the Chief Electoral Officer or any person nominated by him for the purpose of conducting any such inquiry, has the powers of a commissioner under Part II of the *Inquiries Act*, and any expense required to be incurred for the purpose of any inquiry under this section and of any proceedings assisted or caused to be taken by the Chief Electoral Officer by virtue thereof shall be payable by the Comptroller of the Treasury, on the certificate of the Chief Electoral Officer, out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Powers as commissioner under *Inquiries Act*.

71. Every printed advertisement, handbill, placard, poster or dodger having reference to any election shall bear upon its face the name and address of its printer and publisher, and any person printing, publishing, distributing or posting up, or causing to be printed, published, distributed or posted up, any such document unless it bears upon its face such name and address is guilty of an offence against this Act punishable on summary conviction as provided in this Act, and if he is a candidate or the official agent of a candidate is further guilty of an illegal practice.

Printed documents to bear name, etc., of printer.

72. (1) Any person unlawfully taking down, covering up, mutilating, defacing or altering any printed or written proclamation, notice, list of electors, or other document, authorized or required by this Act to be posted up, is guilty of an indictable offence against this Act and liable on indictment or on summary conviction to a fine not exceeding two thousand dollars and costs of prosecution, or to imprisonment for a term not exceeding two years with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith (in case only a fine and costs are imposed) or are not paid before the expiration of the term of imprisonment imposed (in case imprisonment, as well as fine and costs, is imposed), to imprisonment, with or without hard labour, for such term, or further term, as such fine and costs or either of them remain unpaid, not exceeding three months.

Removing notices forbidden.



Copy of subsection (1) to be printed on documents posted up.

(2) A copy of subsection (1) shall be printed as a notice in large type upon every such printed document, or printed or written upon every such written document, or printed or written as a separate notice and posted up near to such document and so that such notice can be easily read.

Conveyance of electors to polls, etc., for hire forbidden.

73. Every person who before, during or after an election directly or indirectly or by any means or device in attempted evasion of the following provisions,

- (a) hires or in whole or in part, pays for, or promises to pay for, or solicits the hire or use for payment of any horse, team, carriage, cab, cart, wagon, automobile, sleigh, aeroplane, boat, vessel, or other means of conveyance, or
- (b) lets to hire or demands, receives, or promises to accept payment for the hire or use of any such means of conveyance,

for the purpose of conveying or providing for the conveyance of any elector or electors who may intend to vote to or from the poll or any polling station, or to or from the neighbourhood thereof, is guilty of an illegal practice, and of an offence against this Act punishable on summary conviction as provided in this Act; but the *bona fide* payment by the elector himself of the usual fare or a reasonable charge for his conveyance to or from the poll or polling station shall not be deemed a contravention of this section.

Illegal payments to electors.

74. Every person who before, during or after an election directly or indirectly or by any means or device in attempted evasion of the following provisions,

Payment of fare to elector.

- (a) pays or promises to pay in whole or in part the travelling or other expenses of any elector who may intend to vote, in going to or returning from the poll or any polling station, or going to or returning from the neighbourhood thereof; or

Payment of expenses, wages, etc., of electors forbidden.

- (b) pays or promises to pay or receives or promises to accept payment, in whole or in part by reason of time spent, or for wages or other earnings or possibility thereof lost, by any elector who may intend to vote, in going to, being at or returning from the poll or any polling station, or going to, being at or returning from the neighbourhood thereof;

is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Penalty for inducing persons to make false oath.

75. Every person who, knowingly, in any case wherein an oath is by this Act authorized or directed to be taken, compels or attempts to compel, or induces or attempts to induce, any other person to take such oath falsely, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Non-residents of Canada, forbidden to canvass.

76. Any person who resides without Canada and who, to secure the election of any candidate, canvasses for votes or in any way endeavours to induce electors to vote for any candidate at an election, or to refrain from voting, is guilty of an indictable offence against this Act punishable as provided in this Act.

77. Any person who, before or during any election, for the purpose of affecting the return of any candidate at such election, makes or publishes any false statement of fact in relation to the personal character or conduct of such candidate is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Penalty for publishing false statements to affect return of any candidate.

### *Penalties and Procedure.*

78. (1) Any indictable offence against this Act may be prosecuted alternatively on indictment or by way of summary conviction.

Procedure.

(2) Any person who is guilty of any indictable offence against this Act is liable on indictment or on summary conviction to a fine not exceeding two thousand dollars and costs of prosecution or to imprisonment for a term not exceeding two years, with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith, in case only a fine and costs are imposed, or are not paid before the expiration of the term of imprisonment imposed, in case imprisonment as well as fine and costs is imposed, to imprisonment with or without hard labour for such term or such further term, as such fine and costs or either of them remain unpaid, not exceeding three months.

Fines and other penalties for indictable offences.

79. Any person, who is guilty of any non-indictable offence against this Act that is punishable on summary conviction, is liable to a fine not exceeding five hundred dollars and costs of prosecution or to imprisonment for a term not exceeding one year, with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith, in case only a fine and costs are imposed, or are not paid before the expiration of the term of imprisonment imposed, in case imprisonment as well as fine and costs is imposed, to imprisonment with or without hard labour, for such term, or further term, as such fine and costs or either of them may remain unpaid, not exceeding three months.

Fines, etc., for non-indictable offences.

80. Any person who during an election is guilty of an offence which is a corrupt practice or an illegal practice shall *ipso facto* become disqualified from voting and incompetent to vote at such election; and he shall also in addition to any other punishment for such offence by this or any other Act prescribed, forfeit to any person who in any competent court sues therefor

Disqualification for corrupt act.

- (a) for every offence that is a corrupt practice, the sum of two hundred dollars and costs; and
- (b) for every offence that is an illegal practice, the sum of one hundred dollars and costs.

Additional penalties.

81. Any person, who

- (a) in any report made to the Speaker of the House of Commons on an election petition, is named as having been found guilty of any offence that is a corrupt or illegal practice, is reported to have been heard on his own behalf and is declared to be a person who should be expressly disqualified as hereinafter provided;

Corrupt or illegal practices.

- (b) is before any competent court convicted of having committed at an election any offence which is a corrupt practice or illegal practice, or ordered to pay any sum forfeited because of the commission of any corrupt practice or illegal practice; or
- (c) is, in any proceeding in which after notice of the charge he has had an opportunity of being heard, found guilty of any corrupt practice or of any illegal practice, or of any offence which is a corrupt practice or illegal practice;

Seven or five  
years' dis-  
qualification.

shall, in addition to any other punishment for such offence by this or any other Act prescribed be, for a corrupt practice during the seven years or for an illegal practice during the five years, next after the date of his being so reported, convicted, ordered, or found guilty, incapable of being elected to or of sitting in the House of Commons or of voting at any election of a member of that House or of holding any office in the nomination of the Crown or of the Governor in Council.

Candidate  
not to be  
convicted  
unless  
corrupt  
practice  
done by  
himself,  
agent, or  
with his  
knowledge.

82. (1) No candidate shall on the trial of any election petition be reported by the trial judges to the Speaker of the House of Commons as having been found guilty of any corrupt practice or any illegal practice, or before any court be convicted of having committed at an election any offence that is a corrupt practice or an illegal practice or be ordered to pay any sum as forfeited because of the commission of any corrupt practice, or illegal practice, or in any other proceeding be found guilty of any corrupt practice or illegal practice or of any offence which is a corrupt practice or an illegal practice, unless the thing omitted or done the omission or doing of which constitutes the corrupt practice or illegal practice was omitted or done by

- (a) the candidate in person;
- (b) his official agent; or
- (c) some other agent of the candidate with the candidate's actual knowledge and consent.

(2) Nothing in this section prevents the avoidance pursuant to the provisions of the *Dominion Controverted Elections Act*, of any election in consequence of the commission of any corrupt practice or illegal practice.

Election  
not voided  
unless illegal  
practices by  
candidate  
or agent.

83. (1) No election shall on the trial of any election petition be voided because of any of the illegal practices referred to in section 22, 38, 40, 44, 71 or 77 unless the thing omitted or done the omission or doing of which constitutes the illegal practice was omitted or done by

- (a) the elected candidate in person;
- (b) his official agent; or
- (c) some other agent of such candidate with such candidate's actual knowledge and consent.

(2) Nothing in this section shall be deemed to impair or affect the provisions of the *Dominion Controverted Elections Act*.

Non-  
compliance  
with Act not  
to invalidate  
election  
unless it  
affected result.

84. No election shall be declared invalid by reason of non-compliance with the provisions of this Act as to limitations of time unless it appears to the tribunal having cognizance of the question that such non-compliance may have affected the result of the election, or as to the taking of the poll or the counting



of the votes, or by reason of any want of qualification in the persons signing any nomination paper, or because of any error in the name, or omission of or error in the address or occupation of any candidate as stated on such nomination paper as received by a returning officer, or of any insufficiency in any publication of any proclamation, notice or other document, or any mistake in the use of the Forms contained in this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such non-compliance did not affect the result of the election.

85. If, at any time after a person has become disqualified under this Act, the witnesses, or any of them, on whose testimony such person has so become disqualified, are convicted of perjury with respect to such testimony, such person may move the court before which such conviction takes place to order, and such court shall, upon being satisfied that such disqualification was procured by reason of such perjury, order that such disqualification shall therefore cease and determine; and it shall cease and determine accordingly.

Removal of  
disqualifica-  
tion procured  
by perjury.

86. (1) All penalties that are by this Act expressly made payable by way of forfeiture to any person aggrieved or to any person who sues therefor are recoverable or enforceable with full costs of suit by action of debt or information in any court of competent jurisdiction in the province in which the cause of action arises.

Recovery of  
penalties and  
forfeitures.

(2) In default of payment of the amount which the offender is condemned to pay, within the period fixed by the court, the offender shall be imprisoned in the common gaol of the county or district for any term less than two years, unless such penalty and costs are sooner paid.

Imprison-  
ment for  
non-  
payment.

(3) No action or information for the recovery of any such penalty by way of forfeiture shall be commenced unless the person suing therefor has given good and sufficient security, to the amount of fifty dollars, to indemnify the defendant for the costs occasioned by his defence, if the person suing is condemned to pay such costs.

Security  
for costs.

(4) It is sufficient for the plaintiff, in any action or suit under this Act, to allege in his pleading or declaration that the defendant is indebted to him in the sum of money thereby demanded, and to allege the particular offence with respect to which the action or suit is brought, and that the defendant has acted contrary to this Act, without mentioning the writ of election or the return thereof.

Allegations  
in action.

(5) In any such civil action, suit or proceeding, instituted under this Act, the parties thereto, and the husbands or wives of such parties respectively, are competent and compellable to give evidence to the same extent and subject to the same exceptions as in other civil suits in the same province; but such evidence shall not thereafter be used in any indictment or criminal proceeding under this Act against the person giving it.

Evidence of  
husbands  
and wives.

(6) In any action, suit or proceeding instituted only for the recovery under this Act of a penalty imposed by way of forfeiture, if the right of any person (in this section referred

Burden of  
proof of  
justification.

to as "the voter") to vote, or to vote at any particular place, at an election, is questioned or involved, the burden of proof of the voter being entitled to vote, or to vote at such particular place, is upon the voter or such other person as is the accused or defendant in such action, suit or proceeding, and not upon the person suing or instituting the proceeding.

No privilege  
from answer-  
ing questions.

87. (1) Subject to this section, no person shall be excused from answering any question put to him in any action, suit or other proceeding in any court or before any judge, commissioner or other tribunal touching or concerning any election or the conduct of any person thereat or in relation thereto on the ground of any privilege.

Exception.

(2) The evidence of an elector to show for whom he voted at an election is not admissible in evidence in any action, suit or other proceeding in any court or before any judge, commissioner or any tribunal touching or concerning any election or the conduct of any person thereat or in relation thereto.

Idem.

(3) No answer given by any person claiming to be excused on the ground of privilege shall be used in any criminal proceeding against such person other than an indictment for perjury, if the judge, commissioner or president of the tribunal gives to the witness a certificate that he claimed the right to be excused on such ground, and made full and true answers to the satisfaction of the judge, commissioner or tribunal.

Production  
of writ of  
election,  
etc., not  
required  
in suits.

88. (1) It is not necessary, on the trial of a suit or prosecution under this Act, to produce the writ of election or the return thereof, or the authority of the returning officer founded upon such writ of election, but general evidence of such facts is sufficient evidence.

If notified  
Chief  
Electoral  
Officer  
to produce  
election  
papers, etc.

(2) If the original election papers are required on any such trial of any suit or prosecution, the clerk or registrar of the court having cognizance of such proceedings may, at the instance of any of the parties thereto, notify the Chief Electoral Officer to cause them to be produced on or before the day fixed for the trial; and the Chief Electoral Officer shall cause such election papers to be deposited with such clerk or registrar in such manner as the court or judge shall order.

Criminal  
court may  
allow  
costs to  
prosecutor.

89. (1) Any court of criminal jurisdiction before which a prosecution is instituted for an offence against the provisions of this Act may order payment by the defendant to the prosecutor of such costs and expenses as appear to the court to have been reasonably incurred in and about the conduct of such prosecution.

Prior  
recognizance  
required.

(2) The court shall not make such order unless the prosecutor before or upon the finding of the indictment or the granting of the information enters into a recognizance with two sufficient sureties, in the sum of five hundred dollars, and to the satisfaction of the court, to conduct the prosecution with effect and to pay the defendant his costs in case he is acquitted.

Costs in  
cases of  
private  
prosecution.

(3) In case of an indictment or information by a private prosecutor for an offence against the provisions of this Act, if judgment is given for the defendant, he is entitled to recover from the prosecutor the costs sustained by the defendant by

reason of such indictment or information, which costs shall be taxed by the proper officer of the court in which the judgment is given.

90. (1) In an indictment or prosecution for a corrupt practice or an illegal practice, and in any action or proceeding for a penalty or by way of forfeiture for a corrupt practice, or an illegal practice, it is sufficient to allege that the defendant was, at the election at or in connection with which the offence is intended to be alleged to have been committed, guilty of a corrupt practice or an illegal practice, describing it by the name given to it by this Act, or otherwise, as the case requires.

In a suit for criminal corrupt practice, what allegation sufficient.

(2) In any criminal or civil proceeding in relation to such offence the certificate of the returning officer is sufficient evidence of the due holding of the election and of any person named in such certificate having been a candidate thereat.

Evidence.

91. (1) Whenever it appears to the court or judge trying an election petition that any person has violated any of the provisions of this Act, for which violation such person is liable to a fine or penalty other than the fines or penalties imposed for any offence amounting to an indictable offence, such court or judge may order that such person may be summoned to appear before such court or judge, at the place, day and hour fixed in such summons for hearing the charge.

Person liable summoned to court.

(2) If, on the day so fixed by the summons, the person summoned does not appear, he shall be condemned, on the evidence already adduced on the trial of the election petition, to pay such fine or penalty as he is liable to pay for such violation, and in default of paying such fine or penalty to the imprisonment prescribed in such case by this Act.

Penalty for disobeying summons.

(3) If, on the day so fixed, the person summoned does appear, the court or judge, after hearing such person and such evidence as is adduced, shall give such judgment as to law and justice appertains.

Trial.

(4) All fines and penalties recovered under subsections (1), (2) and (3) belong to Her Majesty for the public uses of Canada, but no fine or penalty shall be imposed thereunder if it appears to the court or judge that the person has already been sued to judgment or acquitted with respect to the same offence, nor shall any such fine or penalty be imposed for any offence proved only by the evidence or admission of the person committing it.

Appropriation of fines.

92. Notwithstanding anything in the *Criminal Code*, every prosecution for an offence against this Act, and every action, suit or proceeding for any pecuniary penalty given by this Act to any person aggrieved or to any person suing therefor, shall, when commenced, be proceeded with and carried on without wilful delay, and shall be commenced within the space of one year next after the day when the offence was committed or when such action, suit or proceeding might first have been brought or taken and not afterwards, unless the prosecution, action, suit or proceeding is prevented by the withdrawal or absconding of the defendant out of the jurisdiction of the court, in which case such prosecution, action, suit or proceeding may be commenced within one year after his return, or in case of a charge

Limitation of time for prosecutions and suits.



Delay, neglect or refusal of returning officer to return elected candidate.

Quarter or general sessions court incompetent.

against a returning officer pursuant to section 57 for wilful delay, neglect or refusal to return a candidate as elected, in which case such prosecution, suit or proceeding shall be commenced within six months after the conclusion of the trial of the petition relating to such action.

93. Notwithstanding anything in the *Criminal Code*, no indictment for an offence that is a corrupt practice or an illegal practice shall be tried before any court of quarter sessions or general sessions of the peace.

### Advance Polls.

Establishment of advance polls.

94. (1) Subject as hereinafter provided, one or more advance polls shall be established in each of the places mentioned in Schedule Two for the purpose of taking the votes of such persons as are described in section 95 and whose names appear on the list of electors for any polling division of the electoral district in which such places are situated.

Location of polling stations.

(2) Every such polling station shall be located so as to suit the convenience of that class of electors which, in the judgment of the returning officer, is most likely to resort in any considerable number thereto.

Amendment of Schedule by Chief Electoral Officer.

(3) The Chief Electoral Officer may from time to time amend Schedule Two by striking therefrom the name of any place or by adding thereto the name of any other place, and, so amended, such Schedule has effect as if incorporated into this Act; but he shall amend under the following circumstances only:

- (a) if a total of less than fifteen votes is cast at the advance poll held at such place, he shall after the election strike off the name of that place; or
- (b) if he is advised and believes that a total of fifteen votes will be cast in case an advance poll is established in any city, town, township, village or municipality having a population of five hundred or more as determined by the last census taken pursuant to sections 16 and 17 of the *Statistics Act*, he may add the name of such place.

Notice in *Canada Gazette*.

(4) The Chief Electoral Officer shall give notice, under his hand, published in the *Canada Gazette*, of all amendments made to such Schedule, and he shall, at a by-election, furnish to the returning officer a copy of such Schedule as it then stands amended.

Amendment not in force for sixty days.

(5) In case the date of the writ for a by-election falls within sixty days after notice so given of any such amendment that amendment shall not be in force nor have any effect at such by-election.

Advance polls conducted as ordinary polls.

(6) Except as provided in this section and in sections 96 and 97, all advance polls shall be held, conducted and officered in the same manner as and for all purposes of this Act be regarded as ordinary polling stations.

When advance polls to be open.

(7) Advance polls shall be open and shall only be open between the hours of two and ten o'clock in the afternoons and evenings of the Thursday, Friday and Saturday immediately preceding the ordinary polling day.

(8) The returning officer shall, not later than twelve days before polling day, give public notice in the electoral district of the advance poll and of the location of each advance polling station and such notice shall be in Form No. 65; the returning officer shall mail one copy of such notice to the various postmasters of the post offices situated within his electoral district, five copies to each candidate officially nominated at the by-election and two copies to the Chief Electoral Officer; the returning officer shall at the same time notify in writing each postmaster of the provisions of subsection (9).

Notice in  
Form No. 65.

(9) Every postmaster shall, forthwith after receipt of a copy of the Notice of Holding of Advance Poll in Form No. 65, post it up in some conspicuous place in his post office to which the public has access and maintain it so posted up until the time fixed for the closing of the advance polls on the Saturday immediately preceding the ordinary polling day, and failure to do so is ground for his dismissal from office, and for the purpose of this provision such postmaster shall be deemed to be an election officer and liable as such.

To be  
posted up.

Postmaster  
election  
officer.

95. The privilege of voting at an advance poll shall extend and shall extend only

Who may  
vote at  
advance  
polls.

- (a) to such persons as are employed as commercial travellers as defined in subsection (4) of section 2, to such persons as are employed as fishermen as defined in subsection (12) of the said section, and to such persons as are employed upon railways, vessels, airships, or other means or modes of transportation (whether or not employed thereon by the owners or managers thereof), and to any of such persons only if, because of the nature of his said employment, and in the course thereof, he is necessarily absent from time to time from the place of his ordinary residence, and if he has reason to believe that he will be so absent on the ordinary polling day at the pending by-election from, and that he is likely to be unable to vote on that day in, the polling division on the list for which his name appears; and
- (b) to such persons as are members of the reserve forces of the Canadian Forces or to such persons as are members of the Royal Canadian Mounted Police Force, and to any of such persons only if, on account of the performance of duties or training in such forces, he has reason to believe that he will be necessarily absent on the ordinary polling day at the pending by-election from, and that he is likely to be unable to vote on that day in, the polling division on the list of electors for which his name appears.

96. (1) No person otherwise entitled to vote at an advance poll shall be permitted to do so unless

Conditions  
for voting  
at advance  
polls.

- (a) he produces to the deputy returning officer at the advance polling station an advance poll certificate, in Form No. 66, that he is the person to whom the privilege of voting at an advance poll extends, which certificate shall be signed by
  - (i) the returning officer,

- (ii) the election clerk in the name of the returning officer and on his behalf, or
- (iii) a person specially deputized by the returning officer, with the prior consent of the Chief Electoral Officer, to issue advance poll certificates, whose name and authority have been communicated by the returning officer to the deputy returning officer of such advance poll, and to each candidate officially nominated at the pending by-election;
- (b) his signature has been affixed before the officer applied to, in the space provided for that purpose immediately under the certificate; and
- (c) he signs in the presence of the deputy returning officer the statement of identification and declaration in the space provided for that purpose immediately under the said statement.

Advance poll certificates.

(2) Such advance poll certificates shall be issued only on the personal application of the elector concerned and after the officer applied to has been satisfied that the applicant is a person to whom the privilege of voting at an advance poll extends.

Certificates signed, numbered, recorded and notified to deputy returning officer of applicable ordinary polling station.

(3) The returning officer or the election clerk, or any other person specially deputized by the returning officer, by whom any advance poll certificate is issued shall

- (a) fill in and sign such certificate and mention thereon the date of its issue,
- (b) see that such certificate has been duly signed by the applicant,
- (c) consecutively number every such certificate in the order of its issue,
- (d) keep a record of every such certificate in the order of its issue, on the form prescribed by the Chief Electoral Officer,
- (e) not issue any such certificate in blank, and
- (f) before the hour of the opening of the polls on the ordinary polling day, send a copy of the advance poll certificate issued to the deputy returning officer for the ordinary polling station at which the person to whom such certificate has issued would in the ordinary course be entitled to vote.

Elector must produce and deliver certificate.

(4) No person who has obtained an advance poll certificate is entitled to vote on the ordinary polling day except upon his producing such certificate and delivering the same up to the deputy returning officer at the ordinary polling station established for the polling division on the list for which his name appears.

No list or poll book kept, but notations to be made on the certificate.

(5) There shall be no list of electors nor poll book supplied to or kept at an advance poll, but the poll clerk thereat shall assist the deputy returning officer as required, preserving each certificate deposited and marking thereon such notations as, if there were a poll book, he would be required by this Act to mark opposite the elector's name in the poll book.



(6) An elector who is by this section authorized to vote at an advance poll may vote at any advance poll within the electoral district in which he is qualified to vote; no deputy returning officer shall permit any person to vote at an advance poll upon any certificate in Form No. 66 issued by the returning officer or any other officer of another electoral district.

Voting at any advance poll in same electoral district.

97. (1) At the opening of the advance poll, at two o'clock in the afternoon of the first day of voting, the deputy returning officer shall, in full view of such of the candidates or their agents or the electors representing candidates as are present, open the ballot box and ascertain that there are no ballot papers or other papers or material enclosed therein, after which the ballot box shall be locked and sealed with one of the special metal seals prescribed by the Chief Electoral Officer for the use of deputy returning officers; the ballot box shall then be placed on a table in full view of all present and shall be maintained so placed until the close of the advance poll on such day of voting.

Examining and sealing ballot box.

(2) At the re-opening of the advance poll, at two o'clock in the afternoon of the second and third days of voting, the ballot box shall be unsealed and opened by the deputy returning officer in full view of such of the candidates or their agents or the electors representing candidates as are present, and the special envelope containing the unused ballot papers shall be taken out and opened; the special envelope or envelopes containing the ballot papers cast on the preceding day or days of voting shall, unopened, remain in the ballot box; the ballot box shall then be locked and sealed, and placed upon the table, as prescribed in subsection (1).

Re-opening of advance poll.

(3) At the close of the advance poll, at ten o'clock in the evening of each of the three days of voting, the deputy returning officer shall in full view of such of the candidates or their agents or the electors representing candidates as are present,

Proceedings at close of advance poll each day of voting

- (a) unseal and open the ballot box;
- (b) empty the ballot papers cast during the same day of voting (in such manner as not to disclose for whom any elector has voted) into a special envelope supplied for the purpose;
- (c) seal such envelope with a gummed paper seal prescribed by the Chief Electoral Officer;
- (d) count the unused ballot papers and the used advance poll certificates which up to that time have been presented;
- (e) place the unused ballot papers and used advance poll certificates in another special envelope supplied for the purpose;
- (f) endorse on such envelope the number of such unused ballot papers and used advance poll certificates; and
- (g) seal the said envelope with a gummed paper seal prescribed by the Chief Electoral Officer;

the deputy returning officer and the poll clerk shall, and such of the candidates or their agents or the electors representing candidates as are present may, affix their signatures on the gummed paper seals affixed to both of the above mentioned special envelopes, before such envelopes are placed in the ballot box; the

Affixing of signatures and special metal seal.

ballot box shall then be locked and sealed as prescribed in subsection (1).

Custody of  
ballot box.

(4) In the intervals between voting hours at the advance poll and until six o'clock in the afternoon of the ordinary polling day, the ballot box shall remain in the custody of the deputy returning officer; the ballot box shall be kept locked and sealed in the manner prescribed in subsection (1), and such of the candidates or their agents or the electors representing candidates as are present at the close of the advance poll on each of the three days of voting, may, if they so desire, take note of the serial number embossed on the special metal seal used for locking and sealing the ballot box, as herein prescribed, and may again take note of such serial number at the re-opening of the advance poll on the second and third days of voting and at the counting of the votes on the ordinary polling day.

Count of  
ballots  
at close  
of poll  
on ordinary  
polling day.

(5) The deputy returning officer shall, at six o'clock in the afternoon of the ordinary polling day, attend with his poll clerk at the polling station where the advance poll was held, and there, in the presence of such of the candidates and their agents as may attend, open the ballot box and the sealed envelopes containing ballots, count the votes and take all other proceedings provided by this Act for deputy returning officers and poll clerks in connection with the conduct of a by-election after the close of the ordinary poll, except that such statements and other documents as other provisions of this Act may require to be made and to be written in or attached to the poll book shall be made in a special book of statements and oaths relating to advance polls prescribed by the Chief Electoral Officer.

Provisions  
applicable  
to advance  
polls.

(6) Subject to the provisions of sections 94 to 97, the provisions of this Act relating to ordinary polls shall in so far as applicable apply to advance polls.

Anyone who  
makes false  
statement,  
forges  
certificate,  
makes false  
declaration,  
or unlawfully  
attempts to  
vote at an  
advance poll,  
is guilty of  
an offence.

98. Any person who, corruptly,

- (a) for the purpose of obtaining from any officer who is by this Act authorized to grant it, a certificate in Form No. 66, makes to such officer any false statement;
- (b) forges or fabricates any such certificate, or any name thereon, or not being the person named therein, presents any such certificate to any deputy returning officer or poll clerk at any polling station;
- (c) makes before any deputy returning officer a false declaration as to the cause or necessity of his voting at an advance poll;
- (d) after having obtained from an officer by this Act authorized to grant it, a certificate in Form No. 66 votes or attempts to vote at any other than an advance poll, except upon presentation on the ordinary polling day of such certificate as provided by this Act; or
- (e) in any other manner contravenes any provision of sections 94 to 97,

is guilty of an offence against this Act punishable on summary conviction as provided in this Act.

## SUPPLEMENTAL PROVISIONS.

*Special Powers to Chief Electoral Officer.*

99. If during the course of a by-election it transpires that insufficient time has been allowed or insufficient election officers or polling stations have been provided for the execution of any of the purposes of this Act, by reason of the operation of any provision of this Act or of any mistake or miscalculation or of any unforeseen emergency, the Chief Electoral Officer may, notwithstanding anything in this Act, extend the time for doing any act or acts, increase the number of election officers, including revising officers, who shall, however, be appointed by the appropriate *ex officio* revising officer, who have been appointed for the performance of any duty, or increase the number of polling stations, and, generally, the Chief Electoral Officer may adapt the provisions of this Act to the execution of its intent; but in the exercise of this discretion no votes shall be cast before or after the hours fixed in this Act for the opening and closing of the poll.

Miscalculation, mistake or emergency.

*Persons ineligible to act as Election Officers.*

100. (1) Subject to this section, none of the following persons shall be appointed as election officers, that is to say:

Who shall not be appointed election officers.

- (a) members of the Queen's Privy Council for Canada or of the executive council of any province of Canada;
- (b) members of the Senate or of the Legislative Council of any province of Canada;
- (c) members of the House of Commons, or of the Legislative Assembly of any province of Canada, or of the Council of the Northwest Territories or the Yukon Territory;
- (d) ministers, priests or ecclesiastics of any religious faith or worship;
- (e) judges of the courts of superior, civil or criminal jurisdiction, judges of any county or district court, or bankruptcy or insolvency court, and any district judge of the Exchequer Court on its Admiralty side, and in the Yukon Territory and the Northwest Territories, police magistrates;
- (f) persons who have served in the Parliament of Canada in the session immediately preceding the by-election or in the session in progress at the time of the by-election;
- (g) persons who have been found guilty by the House of Commons, or by any court for the trial of controverted elections, or other competent tribunal, of any offence or dereliction of duty in violation of this Act or any provincial Act relating to elections, or under the *Disfranchising Act*;
- (h) persons convicted of any indictable offence; or
- (i) aliens.

(2) No person shall be appointed returning officer, election clerk, deputy returning officer, poll clerk, enumerator or revising officer unless he is a person qualified as an elector in the electoral district within which he is to act.

Qualifications as electors of election officers.



Exceptions.

(3) Paragraph (d) of subsection (1) does not apply in the electoral districts mentioned in Schedule Four, and paragraph (e) of that subsection shall not be construed to prohibit or prevent a judge from exercising any power conferred upon him by this Act.

#### *Political Broadcasts.*

Political broadcasts forbidden.

**101.** (1) No person shall be allowed to broadcast a speech or any entertainment or advertising program over the radio, on polling day and on the two days immediately preceding it, in favour or on behalf of any political party or any candidate at a by-election; this prohibition only applies to the ordinary polling day and not to the three days on which advance polls are opened.

Definition of "broadcast".

(2) In this section "broadcast" has the same meaning as "broadcasting" in the *Radio Act*.

#### *Notices.*

Notices, how given.

**102.** (1) When any election officer is by this Act authorized or required to give a public notice and no special mode of notification is indicated, the notice may be by advertisement, placard, handbill or otherwise as he considers will best effect the intended purpose.

Posting up of notices, etc.

(2) Notices and other documents required by this Act to be posted up may, notwithstanding the provisions of any law of Canada or of a province or of any municipal ordinance or by-law, be affixed by means of tacks or pins to any wooden fence situated on or adjoining any highway, or by means of tacks, pins, gum or paste on any post or pole likewise situated, and such documents shall not be affixed to fences or poles in any manner otherwise.

#### *Procedure when Polls lie in Two Time Zones.*

When polls lie in two time zones.

**103.** In an electoral district lying in two different standard time zones, the hours of the day for every operation prescribed by this Act shall be determined by the returning officer with the approval of the Chief Electoral Officer, and such hours, after a notice to that effect has been published in the proclamation in Form No. 4, shall be uniform throughout the electoral district.

#### *Communication by Telegraph.*

Communications by telegraph.

**104.** (1) Whenever it appears to the satisfaction of the Chief Electoral Officer, at a time when a by-election is about to be held, that necessary communication for the purposes of the by-election with or within the electoral district will probably be interrupted during such by-election by the severity of the season, or by the absence or severance, temporarily, of any other means of communication than that available by telegraph, he may direct that the writ of election and all necessary instructions, information, forms, proclamations, notices, appointments, reports, returns (other than the return of the returning officer as to the result of the by-election) and other election documents be transmitted to or within the electoral district to or by the returning officer, deputy returning officers, and other election officers, by telegraph.

(2) The Chief Electoral Officer may make such order as to the details of the proceedings at or relating to such by-election, to be so transmitted by telegraphic communication as to him seems proper for best attaining the purpose of this section. Order as to details.

(3) Every telegraphic communication referred to in this section shall be repeated by the person receiving the messages to the person transmitting the same, in order to insure the correctness of the message received. Telegrams repeated.

### *Oaths and Affirmations.*

**105.** (1) Where in this Act any oath, affirmation, affidavit, or statutory declaration is authorized or directed to be made, taken or administered, the oath, affirmation, affidavit, or declaration shall be administered by the person who by this Act is expressly required to administer it, and, if no particular person is required to administer it, then by the judge of any court, the returning officer, the election clerk, a postmaster, a revising officer, a deputy returning officer, a poll clerk, a notary public, a magistrate, a justice of the peace, or a commissioner for taking affidavits in the province. Oaths, by whom administered.

(2) All such oaths, affirmations, affidavits or declarations shall be administered gratuitously. Administered gratuitously.

### *Peace and Good Order at Public Meetings.*

**106.** (1) Every person who, between the date of the issue of the writ and the day after polling at a by-election, acts in a disorderly manner, with intent to prevent the transaction of the business of a public meeting called for the purpose of such by-election, is guilty of an illegal practice and of an offence against this Act, punishable on summary conviction as provided in this Act. Penalty for disorderly conduct at public meetings.

(2) Every person who, between the date of the issue of the writ and the day after polling at a by-election, incites, combines or conspires with others to act in a disorderly manner with intent to prevent the transaction of the business of a public meeting called for the purpose of such by-election, is guilty of an indictable offence against this Act, punishable as provided in this Act. Penalty for conspiracy to cause disorder.

### *Signed Pledges by Candidates Prohibited.*

**107.** It is an illegal practice and an offence against this Act for any candidate for election as a member to serve in the House of Commons to sign any written document presented to him by way of demand or claim made upon him, by any person, persons or associations of persons, between the date of the issue of the writ ordering a by-election and the date of polling, if such document requires such candidate to follow any course of action that will prevent him from exercising freedom of action in Parliament if elected, or to resign as such member if called upon to do so by any person, persons or associations of persons. Signed pledges by candidates prohibited.

### *Premature Publication of Election Results.*

**108.** (1) No person, company or corporation shall, in any province before the hour of closing of the polls in such province, publish the result or purported result of the polling in any Premature publication of results forbidden.

electoral district in Canada, whether such publication is by radio broadcast, or by newspaper, news-sheet, poster, bill-board, handbill, or in any other manner; any person contravening the provisions of this section (and in the case of a company or corporation any person responsible for the contravention thereof) is guilty of an illegal practice and of an offence against this Act.

Definition of  
"broadcast".

(2) In this section "broadcast" has the same meaning as "broadcasting" in the *Radio Act*.

*Preparation of Lists of Electors to be used at every  
By-election.*

Procedure  
to be  
followed.

**109.** (1) The procedure to be followed in the preparation, revision and distribution of the lists of electors to be used at every by-election, shall be the same as that provided in this Act, except with regard to the following particulars:

- (a) the enumeration of electors in urban and rural polling divisions shall commence on Monday, the thirty-fifth day before polling day, and be completed on Thursday, the thirty-second day before polling day; and
- (b) the days for the sittings for the revision of the lists of electors for urban polling divisions shall be Thursday, Friday and Saturday, the eleventh, tenth and ninth days before polling day, and, subject to Rule (36) of Schedule A to section 17, Tuesday, the sixth day before polling day.

Act modified  
in consolida-  
tion.

(2) In the consolidation of this Act for use at every by-election, the Chief Electoral Officer shall, consistently with the provisions of subsection (1), make such modifications as are deemed necessary.

*Voting under the Canada Temperance Act.*

Act to  
apply in  
votes taken  
under  
*Canada  
Temperance  
Act*.

**110.** (1) Whenever under the *Canada Temperance Act* a vote is to be taken, the procedure to be followed shall, in lieu of the procedure therein directed, be the procedure laid down in this Act with such modifications as the Chief Electoral Officer may direct as being necessary by reason of the difference in the nature of the question to be submitted, and with such omissions as he may specify on the ground that compliance with the procedure laid down is not required.

Publication  
in *Canada  
Gazette*.

(2) Any direction given by the Chief Electoral Officer for a modification of or omission from the procedure directed by this Act shall be published by him in the *Canada Gazette* at least four weeks before the day upon which the vote is to be taken.

**111.** *Omitted in consolidation.*

*Amendments.*

No amend-  
ment to  
apply to a by-  
election for  
which writ  
is issued  
within six  
months,  
except after  
notice.

**112.** No amendment to this Act applies in a by-election for which the writ is issued within six months from the passing thereof unless before the issue of such writ the Chief Electoral Officer has published in the *Canada Gazette* a notice that the necessary preparations for the bringing into operation of such amendment have been made and that such amendment may come into force accordingly, and it shall be the duty of the Chief



Electoral Officer forthwith after the passing of any amendment to consolidate such amendment, so far as necessary, in the copies of the Act printed for distribution to returning officers, to correct and re-print all forms and instructions affected thereby, and to publish a notice as aforesaid in the *Canada Gazette* as soon as copies of the Act and the forms and instructions have been so corrected and re-printed.

**113.** Notwithstanding anything in this or any other Act, whenever a writ has been issued ordering a by-election to be held on a date subsequent to the latest date upon which the existing Parliament may dissolve, as provided by section 50 of the *British North America Act, 1867*, such writ shall, after a notice to that effect has been published in the *Canada Gazette* by the Chief Electoral Officer, be deemed to have been superseded and withdrawn.

**114.** (1) Elections of members to the Council of the Northwest Territories (in this section called "Northwest Territories elections") shall be conducted in accordance with the provisions of this Act, subject to this section and to such adaptations and modifications as the Chief Electoral Officer, with the approval of the Commissioner of the Northwest Territories, directs as being necessary by reason of conditions existing in the Northwest Territories to conduct effectually Northwest Territories elections.

(2) The procedure prescribed by section 109 shall be followed in the preparation, revision and distribution of the list of electors for Northwest Territories elections.

(3) Sections 14, 16, 19 and 20 do not apply to Northwest Territories elections.

(4) The qualifications for electors for Northwest Territories elections shall be those established pursuant to section 9 of the *Northwest Territories Act* and in force six months prior to the polling day for such elections.

**115.** (1) Elections of members to the Council of the Yukon Territory (in this section called "Yukon Territory elections") shall be conducted in accordance with the provisions of this Act, subject to this section and to such adaptations and modifications as the Chief Electoral Officer, with the approval of the Commissioner of the Yukon Territory, directs as being necessary by reason of conditions existing in the Yukon Territory to conduct effectually Yukon Territory elections.

(2) The procedure prescribed by section 109 shall be followed in the preparation, revision and distribution of the list of electors for Yukon Territory elections.

(3) Sections 14, 16, 19 and 20 do not apply to Yukon Territory elections.

(4) The qualifications of electors for Yukon Territory elections shall be those established pursuant to section 14 of the *Yukon Act* and in force six months prior to the polling day for such elections.

**116.** (1) In this section, "election material" includes instructions, forms, record books, index books, ballot papers, poll books and copies of Acts or regulations or portions thereof, and any other supplies.

Use of election material authorized by an elections Act for by-elections, N.W.T. elections and Yukon Territory elections held after revision of such Act.

(2) Any election material authorized or required for the purposes of or in relation to by-elections, Northwest Territories elections or Yukon Territory elections by any Act providing for the election of members of the House of Commons may, in lieu of the election material authorized or required by any revision of such Act, be used for the purposes of or in relation to by-elections, Northwest Territories elections or Yukon Territory elections held before the first general election next after the coming into force of such revised Act; and references in election material so used to any Act, regulation, rule, schedule or form or any part of provision thereof shall be construed as a reference to the corresponding Act, regulation, rule, schedule, form, part or provision thereof in force upon the coming into force of such revised Act.

## SCHEDULE ONE

## FORMS

## FORM No. 1.

## WRIT OF ELECTION. (Sec. 7.)

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

To (*Insert name, surname and address of returning officer*).

## GREETING:

We command you that notice of the time and place of election being duly given, you do cause election to be made according to law of a member to serve in the House of Commons of Canada, for the electoral district of....., in the Province of....., in the place of..... (*stating the cause of the vacancy*) and that you do cause the nomination of candidates at the by-election to be held on the.....day of.....next, and if a poll become necessary that the same be held on the.....day of.....next, and do cause the name of such member when so elected, whether he is present or absent, to be certified to our Chief Electoral Officer, as by law directed.

Witness, Our Right Trusty and Well-beloved, etc., Governor General (*or Administrator of the Government*) of Canada, at Our city of Ottawa, the.....day of.....in the.....year of Our Reign and in the year of Our Lord 19.....

By Command

.....  
*Chief Electoral Officer.*

## Endorsement.

Received the within Writ on the.....day of....., 19....

.....  
*Returning Officer.*

## FORM No. 2.

## OATH OF THE RETURNING OFFICER. (Sec. 9.)

I, the undersigned (*insert name of returning officer*), returning officer for the electoral district of....., do swear (*or solemnly affirm*) that I am qualified according to law to act as returning officer for the said electoral district of..... and that I will act faithfully in that capacity, without partiality, fear, favour or affection. So help me God.

.....  
*Returning Officer.*

## CERTIFICATE OF RETURNING OFFICER HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, hereby certify that, on the.....day of the month of....., 19...., (*insert name of returning officer*) the returning officer for the electoral district above mentioned, took and subscribed before me the oath (*or affirmation*) of office required in such case of a returning officer by section 9 of the *Canada Elections Act*.

In testimony whereof I have delivered to him this certificate.

.....  
*Justice of the Peace*  
(*or as the case may be*)



## FORM NO. 3.

APPOINTMENT AND OATH OF AN ELECTION CLERK. (Sec. 9.)  
APPOINTMENT.

To (*insert name of election clerk*), whose occupation is (*insert occupation*), and whose address is (*insert address*).

Know you that, in my capacity of returning officer for the electoral district of....., I do hereby appoint you to be my election clerk, to act in that capacity for the said electoral district.

Given under my hand at....., this.....day of....., in the year 19....

.....  
Returning Officer.

## OATH OF THE ELECTION CLERK. (Sec. 9.)

I, the undersigned (*insert name of election clerk*), appointed election clerk for the electoral district of....., do swear (*or solemnly affirm*) that I will act faithfully in my said capacity as election clerk, and also in that of returning officer, if required to act as such, according to law, without partiality, fear, favour or affection. So help me God.

.....  
Election Clerk.

## CERTIFICATE OF ELECTION CLERK HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, hereby certify that, on the.....day of....., 19...., (*insert name of election clerk*), election clerk for the electoral district of....., took and subscribed before me the oath (*or affirmation*) of office required in such case of an election clerk by section 9 of the *Canada Elections Act*.

In testimony whereof I have delivered to him this certificate under my hand.

.....  
Returning Officer  
(*or as the case may be*)

## FORM NO. 4.

## PROCLAMATION. (Sec. 18.)

Electoral district of..... } To wit:  
Province of..... }

Pursuant to Her Majesty's writ bearing date the.....day of....., 19...., I am commanded to cause an election to be held according to law of a member to serve in the House of Commons of Canada for the above mentioned electoral district, and I accordingly give public notice:

That I am now prepared to receive nominations of candidates at such election and shall attend specially to receive such nominations at (*describe the place at which the returning officer will attend to receive nominations*), in the Town (*or City or Village*) of....., on the (*insert the date fixed as nomination day*) day of....., 19...., from noon until two o'clock in the afternoon, after which said last mentioned hour no further nominations of candidates will be received.

And that in case a poll is demanded and granted in the manner by law prescribed, such poll will be held on the (*insert the date fixed as polling day*) day of....., 19...., between the hours of eight o'clock in the forenoon and six o'clock in the afternoon, at places of which I shall subsequently give notice.

And that in case a poll is held, I shall at.....o'clock in the.....noon, on the (*insert the date fixed for the official addition of the votes*) day of....., 19...., at (*describe the place at which the votes will be officially added up*), in the Town (*or City or Village*) of....., open the ballot boxes, add up the votes reported in the statements of the poll as having been cast for the several candidates, and declare the name of the candidate who has obtained the largest number of such votes.

And that (*the wording of this paragraph will be altered to suit the circumstances*) the territory comprised in the City (*or Town, or as the case may be*) of..... will be urban polling divisions for which the lists of electors will be prepared and revised under the rules set forth in Schedule A to section 17 of the *Canada Elections Act*, and that the territory comprised in the remainder of the electoral district will be rural polling divisions for which the lists of electors will be prepared and revised under the rules set forth in Schedule B to the said section 17.

And that I have established my office for the conduct of the above mentioned election at (*describe location of the returning officer's office*).

Of which all persons are hereby required to take notice and to govern themselves accordingly.

Given under my hand at....., this.....day of....., 19....

(*Print name of returning officer*)  
Returning Officer.

FORM No. 5.

APPOINTMENT OF ENUMERATOR.

(Sec. 17, Sched. A, Rule 1, and Sched. B, Rule 1.)

To (*insert name of enumerator*), whose address is (*insert address*).

Know you that, in pursuance of the *Canada Elections Act*, I, the undersigned, in my capacity of returning officer for the electoral district of....., do hereby appoint you enumerator for polling division No..... of the said electoral district to prepare a list of the electors qualified to vote at the pending election in such polling division.

Given under my hand at....., this..... day of....., 19....

.....  
*Returning Officer.*

FORM No. 6.

OATH OF OFFICE OF ENUMERATOR.

(Sec. 17, Sched. A, Rule 1, and Sched. B, Rule 3.)

I, the undersigned, appointed enumerator for polling division No..... of the electoral district of....., do swear (*or solemnly affirm*) that I will act faithfully in my said capacity of enumerator, without partiality, fear, favour or affection. So help me God.

.....  
*Enumerator.*

CERTIFICATE OF THE ENUMERATOR HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, do hereby certify that on the..... day of....., 19...., the enumerator above named subscribed before me the above set forth oath (*or affirmation*) of office.

In testimony whereof I have issued this certificate under my hand.

.....  
*Returning Officer or Postmaster*  
(*or as the case may be*)

FORM No. 7.

(Sec. 17, Sched. A, Rule 7.)

Electoral district of.....  
City (or Town) of.....  
Urban polling division No.....

ENUMERATORS' NOTICE TO ELECTOR.

Notice is hereby given that the undersigned enumerators for the above mentioned urban polling division will include in their preliminary list of electors, now in course of preparation for use at the pending election, an entry as undernoted. Notice is also given that if any entry made in this notice or in the preliminary list of electors is in any respect incorrect, such list may be corrected on application to the revising officer at the place and times of which notice will in due course be given by the returning officer for the above mentioned electoral district.

Name of elector.....  
(*family name first*)

Occupation.....

Post office address.....

.....  
(*Enumerator*)

.....  
(*Enumerator*)

NOTE.—This notice should be preserved until after polling day at the pending election.

## FORM No. 8.

URBAN PRELIMINARY LIST OF ELECTORS. (Sec. 17, Sched. A, Rule 13.)

Electoral District of..... Urban Polling Division No.....

Comprising the area included within a line described as commencing at the intersection of Laurier Avenue west and Bronson Avenue, thence east along Laurier Avenue west to Lyon Street, thence south along Lyon Street to Gloucester Road, thence west along Gloucester Road to Bronson Avenue, and north along Bronson Avenue to point of commencement.

The following names have been enumerated during a recent house-to-house visitation in the above mentioned polling division by a pair of urban enumerators.

Name of street and		Name of elector (family name first)	Occupation	Con- secutive number
Street number	Apartment number			
BAY STREET				
219.....	1	Johnson, Alfred.....	painter.....	1
219.....	1	Johnson, Mrs. Alfred....	—	2
219.....	2	Fischer, James.....	railway employee.....	3
219.....	3	Carroll, Ernest.....	bookkeeper.....	4
220.....		McMillan, John.....	civil servant.....	5
221.....		Osborne, John.....	printer.....	6
222.....		Payne, Charles.....	printer.....	7
BRONSON AVENUE				
103.....		Smith, Henry.....	civil servant.....	8
104.....		Henderson, Peter.....	tinsmith.....	9
105.....		Stewart, Nelson.....	mechanic.....	10
105.....		Stewart, Mrs. Nelson....	—	11
106.....		Kennedy, Ernest.....	civil servant.....	12
106.....		Kennedy, Miss Jamen....	spinster.....	13
107.....		Davis, Louis.....	jobber.....	14
GLOUCESTER ROAD				
323.....	1	Williams, James.....	civil servant.....	15
323.....	2	Dunn, Robert.....	retired.....	16
323.....	3	Moffat, Miss Lily.....	spinster.....	17
323.....	4	Pearson, Mrs. Alex.....	widow.....	18
326.....		Carson, Harold.....	clerk.....	19
326.....		Carson, Mrs. Harold....	—	20
LAURIER AVENUE				
456.....		Murphy, Peter.....	builder.....	21
456.....		Murphy, Mrs. Peter.....	—	22
459.....	1	Lusk, Nelson.....	civil servant.....	23
459.....	1	Lusk, Mrs. Nelson.....	—	24
459.....	2	Lawson, John.....	painter.....	25
459.....	2	Lawson, Mrs. John.....	—	26
459.....	3	Wood, Peter.....	clerk.....	27
LYON STREET				
204.....		Moore, Alex.....	tinsmith.....	28
204.....		McDonald, John.....	civil servant.....	29
204.....		McDonald, Mrs. John....	—	30
207.....		Murphy, Miss Jane.....	civil servant.....	31
210.....		Graham, William.....	merchant.....	32
215.....		Russell, John.....	civil servant.....	33
215.....		Russell, Miss Dorothy....	spinster.....	34
PERCY STREET				
3.....	1	Fisher, Howard.....	clerk.....	35
3.....	2	Johnson, James.....	civil servant.....	36
3.....	3	Blackburn, John.....	contractor.....	37
3.....	3	Blackburn, Mrs. John....	—	38
4.....		Henderson, Edward.....	carpenter.....	39
11.....		Smith, Henry.....	blacksmith.....	40
15.....		Burns, Mrs. James.....	stenographer.....	41
15.....		Burns, Miss Ann.....	clerk.....	42

On the last page of each separate complete copy of the list prepared, the enumerators will severally subscribe to the oath in Form No. 9.



## FORM No. 9.

OATH OF URBAN ENUMERATORS UPON COMPLETION OF THEIR  
PRELIMINARY LIST. (Sec. 17, Sched. A, Rule 15.)

We, the undersigned urban enumerators appointed to prepare a preliminary list of electors for polling division No. .... of the electoral district of ...., do severally swear (or solemnly affirm) that the foregoing ..... sheets contain as complete and as correct a list of the qualified electors as we have been able to prepare for the above mentioned polling division.

Severally sworn (or affirmed) before me	}	
at .....		
this ..... day of ....., 19....		Enumerator.
.....		Enumerator.
Returning Officer (or as the case may be)		

## FORM No. 10.

PRINTER'S AFFIDAVIT RESPECTING THE PRINTING OF LISTS OF ELECTORS.  
(Sec. 17 (14).)

Electoral district of .....

I, the undersigned, ..... of the .....  
(Insert City or Town or Village)  
of ....., do swear (or solemnly affirm):

1. That I am .....  
(Insert "the sole member" or "one of the members of the firm  
of" or "the ..... of the ..... Co. Ltd.", or as the case may be.)  
by whom or by which lists of electors have been printed for use at the election which has been  
ordered to be held in the above mentioned electoral district on the .....  
day of ....., 19....

2. That neither I nor any member of my firm has paid, agreed or promised to pay, given or  
promised to give, any monetary or other reward, to the returning officer of the above named  
electoral district, or to any person on his behalf, as consideration for the granting of an order  
of any kind for the printing of the lists of electors prepared for use at the above mentioned  
election.

Sworn (or affirmed) before me at	}	
.....		
this ..... day of .....,		
19....		(Signature of deponent)
Justice of the peace (or Notary public or Com- missioner for taking affidavits)		

## FORM No. 11.

RETURNING OFFICER'S AFFIDAVIT RESPECTING THE PRINTING OF LISTS OF ELECTORS.  
(Sec. 17 (14).)

Electoral district of .....

I, the undersigned, returning officer for the above mentioned electoral district, do swear  
(or solemnly affirm):

That I have not, nor has any person for me and on my behalf, received or requested, de-  
manded, accepted, or agreed to accept from any person whatsoever, any monetary or other reward  
as consideration for the granting of an order of any kind for the printing of the lists of electors  
prepared for use at the election which has been ordered to be held in the above named electoral  
district on the ..... day of ....., 19....

Sworn (or affirmed) before me at	}	
.....		
this ..... day of .....,		
19....		(Signature of returning officer)
Justice of the peace (or Notary public or Com- missioner for taking affidavits)		

## FORM No. 12.

## APPOINTMENT OF A SUBSTITUTE REVISING OFFICER.

(Sec. 17, Sched. A, Rule 18.)

To....., whose address is.....  
and whose occupation is.....

Know you that, pursuant to the authority vested in me under Rule (18) of Schedule A to section 17 of the *Canada Elections Act*, I, the undersigned, in my capacity as *ex officio* Revising Officer, do hereby appoint you to be a substitute revising officer for revisal district No..... of the electoral district of....., to revise the preliminary lists of electors for the urban polling divisions comprised in the said revisal district, for use in the pending election for a member of the House of Commons, in accordance with the provisions of the said section 17 of the *Canada Elections Act*.

Given under my hand at..... day of....., 19....

Judge of the..... Court

## FORM No. 13.

## OATH OF A SUBSTITUTE REVISING OFFICER.

(Sec. 17, Sched. A, Rule 18.)

I, the undersigned.....  
(Insert name of substitute revising officer)

appointed substitute revising officer for revisal district No..... in the electoral district of....., do solemnly swear (or affirm) that I will act faithfully in my said capacity of substitute revising officer, without partiality, fear, favour or affection, and in every respect according to law. So help me God.

.....  
Substitute Revising Officer.

## CERTIFICATE OF OATH OF THE SUBSTITUTE REVISING OFFICER.

I, the undersigned, do hereby certify that on the..... day of....., 19...., the substitute revising officer above named made and subscribed before me the above set forth oath (or affirmation).

In testimony whereof I have issued this certificate under my hand.

Judge of the..... Court  
or.....  
(as the case may be)

## FORM No. 14.

## NOTICE OF REVISION.

(Sec. 17, Sched. A, Rule 23.)

Electoral district of.....

PUBLIC NOTICE IS HEREBY GIVEN THAT sittings for the revision of the preliminary lists of electors for the urban polling divisions comprised in the above mentioned electoral district will be held on each of the following three days, namely: Thursday, Friday and Saturday, the..... and..... days of....., 19...., (Insert the dates of the 11th, 10th and 9th days before polling day) when the preliminary lists of electors for the urban polling divisions comprised in each of the following revisal districts will be revised by the undermentioned revising officers at the places specified below:

CITY (OR TOWN) OF.....

FOR REVISAL DISTRICT No. 1, comprising polling divisions Nos..... of the above mentioned electoral district, the sittings for revision will be held at (Insert exact location of the revisal office) before (Insert full name of revising officer) who has been appointed revising officer.

(Proceed as above in respect of any other revisal district.)

NOTICE IS FURTHER GIVEN THAT, during the sittings for revision on the Thursday and Friday aforesaid, any qualified elector in one of the above mentioned revisal districts may, before the revising officer for such revisal district, subscribe to an affidavit attacking the qualifications as elector of any other person whose name appears on the preliminary list of electors for one of the polling divisions comprised in such revisal district.

THAT, during the sittings for revision on the Thursday, Friday and Saturday aforesaid, the revising officer shall dispose of the following applications:

- (a) personal applications for registration made verbally, without previous notice, by electors whose names were omitted from the preliminary lists of electors, pursuant to Rule (32) of Schedule A to section 17 of the *Canada Elections Act*;
- (b) sworn applications made by agents on Forms Nos. 17 and 18 of the said Act, on behalf of persons claiming the right to have their names included in the official lists of electors, pursuant to Rule (33) of Schedule A to section 17 of the said Act; and
- (c) verbal applications for the correction of names or particulars of electors appearing on the preliminary lists of electors, made, without previous notice, pursuant to Rule (35) of Schedule A to section 17 of the said Act.

THAT each of the sittings for revision will open at ten o'clock in the forenoon and will continue for at least one hour and during such time thereafter as may be necessary to deal with the business ready to be disposed of.

THAT, moreover, on the above mentioned Thursday, Friday and Saturday fixed for the sittings for revision, each revising officer will sit in his revisal office from seven o'clock until ten o'clock in the evening of each of these days.

AND THAT the preliminary lists of electors prepared by urban enumerators, to be revised as aforesaid, may be examined during reasonable hours in my office at (*Insert location of office of returning officer*).

NOTICE IS FURTHER GIVEN THAT, if any qualified elector in one of the above mentioned revisal districts has, before the revising officer for such revisal district, subscribed to an affidavit attacking the qualifications as elector of any other person whose name appears on the preliminary list of electors for one of the polling divisions comprised in such revisal district, further sittings for revision will be held on Tuesday, the ..... day of ..... 19...., (*Insert the date of the sixth day before polling day*) at the same place and times as the sittings for revision on the Thursday, Friday and Saturday aforesaid, and that during the sittings for revision on the Tuesday aforesaid, the revising officer shall dispose of the objections made on affidavits in Form No. 15 of the said Act to the retention of names on the preliminary lists of electors, of which the revising officer has given notice in Form No. 16 of the said Act to the persons concerned pursuant to Rule (28) of Schedule A to section 17 of the said Act.

Given under my hand at ..... this ..... day of ..... 19....

(*Print name of returning officer*)  
Returning Officer.

#### FORM NO. 15.

#### AFFIDAVIT OF OBJECTION.

(Sec. 17, Sched. A, Rule 28.)

Electoral district of .....

Revisal district No. ....

I, the undersigned, ..... whose address is ..... and whose occupation is ..... do swear (or solemnly affirm):

1. That I am the person described in the preliminary list of electors prepared for use at the pending election, for urban polling division No. ...., comprised in the above mentioned revisal district, and that my address and occupation, as given in the said preliminary list, are as set out above.

2. That there has been included in the preliminary list of electors prepared for use at the pending election, for urban polling division No. ...., comprised in the said revisal district, the name of (*name as on preliminary list*), whose address is given as (*address as on preliminary list*), and whose occupation is given as (*occupation as on preliminary list*).

3. That I know of no other address at which the said person is more likely to be reached than that so stated on the said preliminary list, except (*give alternative or better address, if one is known*).

4. And that I have good reason to believe and do verily believe that the name, address, and occupation mentioned in paragraph 2 of this affidavit should not appear on the said preliminary list because the person described by the said entry (*insert the ground of disqualification as herein-after directed*).

Sworn (or affirmed) before me

at .....

this ..... day of ..... 19....

(*Signature of deponent*)

Revising Officer.

Grounds of disqualification which may be set out in paragraph 4 of the Affidavit of Objection in Form No. 15 of the Canada Elections Act.

- (1) "Is dead."
- (2) "Is not known to exist."
- (3) "Is not qualified to vote because he is not of the full age of twenty-one years or will not attain such age on or before polling day at the pending election."
- (4) "Is not qualified to vote because he is not a Canadian citizen or other British subject."
- (5) "Is not qualified to vote because he has not been ordinarily resident in Canada during the twelve months immediately preceding polling day at the pending election."
- (6) "Is not qualified to vote because he was not ordinarily resident in this electoral district on the ..... day of ..... 19.... (*naming the date of the issue of the writ ordering the pending election*)."
- (7) "Is not qualified to vote because he is (*naming any other class of disqualified persons to which the person objected to belongs, as prescribed in section 14, 15 or 16 of the Canada Elections Act*)."
- (8) "Has, to my knowledge, been included in the preliminary list of electors prepared for use at the pending election for polling division No. .... of this electoral district in which he ordinarily resides."



## Canada Elections Act

## FORM No. 16.

## NOTICE TO PERSON OBJECTED TO.

(Sec. 17, Sched. A, Rule 28.)

Electoral district of.....

Revisal district No.....

To (set out name, address and occupation of the person objected to as these appear on the preliminary list of electors, also addressing a copy of the notice and affidavit to another address, if any, given in paragraph 3 of the attached Affidavit of Objection).

Take notice that the attached Affidavit of Objection to the retention of your name on the preliminary list of electors for one of the urban polling divisions comprised in the above mentioned revisal district has been subscribed before me and that this affidavit of objection will be dealt with during my sittings for revision which will be held at No. .... street, in the City (or Town) of..... on Tuesday, the..... day of....., 19...., (Insert the date of the 6th day before polling day) where I may be found from ten o'clock until eleven o'clock in the forenoon and from seven o'clock until ten o'clock in the evening.

Take notice also that you may appear before me in person or by representative during any of the above mentioned sittings for revision to sustain your right, if any, to have your name retained on such preliminary list.

This notice is given pursuant to Rule (28) of Schedule A to section 17 of the *Canada Elections Act*.

Dated at....., this.....day of....., 19....

.....  
Revising Officer.

## FORM No. 17.

## SWORN APPLICATION TO BE MADE BY THE AGENT OF AN ELECTOR.

(Sec. 17, Sched. A, Rule 33.)

Electoral district of.....

To the Revising Officer for Revisal district No. .... comprised in the above mentioned electoral district.

I, the undersigned, (insert name, address and occupation of agent), do swear (or solemnly affirm):

1. That I am a qualified elector of the above mentioned electoral district and that my name properly appears on the preliminary list of electors for polling division No. .... of the said electoral district.

2. That pursuant to the provisions of Rule (33) of Schedule A to section 17 of the *Canada Elections Act*, I hereby apply for the registration of the name of (insert full name, address and occupation, in capital letters, with family name first, of the person on whose behalf the application is made) on the official list of electors for urban polling division No. .... comprised in the above mentioned revisal district.

3. That the name, address and occupation of the person on whose behalf this application is made, as set forth in the annexed application in Form No. 18, are, to the best of my knowledge and belief, correctly stated.

4. That the said annexed application in Form No. 18 is signed in the handwriting of the person on whose behalf this application is made (or, owing to his temporary absence from the place of his ordinary residence, the alternative application printed on the back of the said Form No. 18 has been duly sworn (or affirmed) by a relative by blood or marriage or the employer of such person).

Sworn (or affirmed) before me at

.....  
this.....day of....., 19....

.....  
(Signature of deponent)

.....  
Revising Officer (or as the case may be)

## FORM NO. 18.

APPLICATION TO BE MADE BY AN ELECTOR FOR REGISTRATION AS SUCH.

(Sec. 17, Sched. A, Rule 33.)

(To be presented to the revising officer by the agent of an elector.)

Electoral district of .....

Urban polling division No. ....

Name of applicant.....

(in capital letters with family name first)

(address)

(occupation)

I, the undersigned, hereby apply to be registered at the now proceeding revision of preliminary lists as an elector in the above mentioned urban polling division.

I am of the full age of twenty-one years, or will attain such age on or before polling day at the pending election.

I am a Canadian citizen or other British subject.

I have been ordinarily resident in Canada for the twelve months immediately preceding polling day at the pending election, and was ordinarily resident in the above mentioned urban polling division on the ..... day of ....., 19.... (naming the date of the issue of the writ ordering the pending election); (and, at a by-election, I have continued to be ordinarily resident in this electoral district until this day).

I am not, to the best of my knowledge and belief, disqualified as an elector in the above mentioned urban polling division, at the pending election, under any of the provisions of the *Canada Elections Act*.

Dated at ....., this ....., 19....

(Signature of applicant)

ALTERNATIVE APPLICATION TO BE SWORN BY A RELATIVE OR EMPLOYER  
WHEN ELECTOR IS TEMPORARILY ABSENT FROM THE  
PLACE OF HIS ORDINARY RESIDENCE.

(To be presented to the revising officer by the agent of an elector.)

Electoral district of .....

Urban polling division No. ....

I, the undersigned, ....., of .....

(insert name of relative or employer)

(address)

(occupation)

....., do swear (or solemnly affirm):

1. That I am hereby applying for the registration of the name of .....

(in capital letters with family name first)

of

(address)

(occupation)

on the list of electors for the above mentioned urban polling division at the now proceeding revision of lists of electors.

2. That the said person on whose behalf this application is made

(a) is of the full age of twenty-one years, or will attain such age on or before polling day at the pending election;

(b) is a Canadian citizen or other British subject; and

(c) has been ordinarily resident in Canada for the twelve months immediately preceding polling day at the pending election, and was ordinarily resident in the above mentioned urban polling division on the ..... day of ....., 19.... (naming the date of the issue of the writ ordering the pending election); (and, at a by-election, has continued to be ordinarily resident in this electoral district until this day).

3. That the said person on whose behalf this application is made is at this time temporarily absent from the place of his ordinary residence, and that, to the best of my knowledge and belief, he is not disqualified as an elector in the above mentioned urban polling division, at the pending election, under any of the provisions of the *Canada Elections Act*.

4. And that I am a relative by blood or marriage or the employer of the said person on whose behalf this application is made.

Sworn (or affirmed) before me at

this ..... day of ....., 19....

(Signature of relative or employer)

Revising Officer (or as the case may be)

## Canada Elections Act

## FORM No. 19.

REVISING OFFICER'S STATEMENT OF CHANGES AND ADDITIONS MADE IN AN URBAN  
PRELIMINARY LIST OF ELECTORS. (Sec. 17, Sched. A, Rule 40.)

Electoral District of.....  
Polling Division No.....  
Revisal District No.....

The following names have been added to the urban preliminary list of electors:

Name of Street (or as the case may be)	Street No.	Apartment No.	Name of Elector (Family name first)	Occupation	Remarks

The following entries in the urban preliminary list of electors have been corrected so as to appear as follows:

Name of Street (or as the case may be)	Street No.	Apartment No.	Name of Elector (Family name first)	Occupation	Consecutive number of elector on list of electors

The following names appearing in the urban preliminary list of electors have been struck out:

Name of Street (or as the case may be)	Street No.	Apartment No.	Name of Elector (Family name first)	Occupation	Consecutive number of elector on list of electors

## CERTIFICATE.

I hereby certify that the foregoing is a correct statement of all the changes and additions that have been made in the urban preliminary list of electors for the above mentioned polling division in the course of the revision.

Dated at....., this.....  
day of....., 19....

.....  
Revising Officer.

## FORM No. 20.

CERTIFICATE TO BE ISSUED BY THE RETURNING OFFICER TO AN ELECTOR, DULY ENUMERATED,  
WHOSE NAME WAS INADVERTENTLY LEFT OFF THE OFFICIAL URBAN LIST OF ELECTORS.

(Sec. 17 (11).)

Electoral district of.....  
Urban polling division No.....

This is to certify that a carbon copy of the notice in Form No. 7 of the *Canada Elections Act*,  
in the enumerators' record books now in my possession shows that such notice was duly issued to

.....  
(insert name)

.....  
(insert address)

.....  
(insert occupation)

informing such person that his name would be included in the preliminary list of electors for the  
above mentioned urban polling division, and that it now appears that his name was thereafter  
inadvertently left off the official list of electors for the said urban polling division.



This is to certify also that, pursuant to subsection (11) of section 17 of the *Canada Elections Act*, the official list of electors for the above mentioned urban polling division is deemed to have been amended to include the name of the above mentioned elector, and that such elector is therefore entitled to vote at the pending election at polling station No. .... established for the above mentioned urban polling division.

Given under my hand at....., this.....day of....., 19....

.....  
Returning Officer.

#### FORM No. 21.

CERTIFICATE TO BE ISSUED BY THE RETURNING OFFICER TO AN ELECTOR, DULY REGISTERED BY A REVISING OFFICER, WHOSE NAME WAS INADVERTENTLY LEFT OFF THE OFFICIAL URBAN LIST OF ELECTORS.

(Sec. 17 (12).)

Electoral district of.....

Urban polling division No.....

This is to certify that the revising officer's record sheets, now in my possession, show that an application for registration on the list of electors made by or on behalf of....., (insert name)

....., (insert address)....., (insert occupation)

was duly accepted by the revising officer for revisal district No....., of the above stated electoral district, during his sittings for revision, and that it now appears that the name of the above mentioned elector was thereafter inadvertently left off the official list of electors for the said urban polling division.

This is to certify also that, pursuant to subsection (12) of section 17 of the *Canada Elections Act*, the official list of electors for the above mentioned urban polling division is deemed to have been amended to include the name of the above mentioned elector, and that such elector is therefore entitled to vote at the pending election at polling station No. .... established for the above mentioned urban polling division.

Given under my hand at....., this....., day of....., 19....

.....  
Returning Officer.

#### FORM No. 22.

NOTICE OF RURAL ENUMERATION. (Sec. 17, Sched. B, Rule 3.)

Electoral District of.....

Rural Polling Division No.....  
(insert name, if any)

Comprising:

(In the above space, the rural enumerator will insert in full the description of the boundaries of his polling division.)

Notice is hereby given that the undersigned has been appointed enumerator for the above mentioned rural polling division, that he is about to prepare a preliminary list of the electors who are qualified to vote therein at the pending by-election and that he will complete the said preliminary list on Thursday, the.....day of....., 19....  
(insert the date of Thursday, the thirty-second day before polling day)

And that during the hours between ten o'clock in the forenoon and ten o'clock in the evening of Thursday, the.....day of....., 19....,  
(insert the date of Thursday, the eighteenth day before polling day)

he will attend and remain at.....  
(insert description of the place where the enumerator intends to remain)

so that he may be found by any person who desires to direct attention to any error in any entry appearing on the said preliminary list or to represent that such list does not contain the name of an elector who is qualified to vote in the above mentioned rural polling division at the pending by-election or does contain the name of any person who is not so qualified to vote.

And that in order that the said preliminary list shall be available for inspection by interested persons, a copy thereof will, forthwith after its completion, be posted up at the place above described and will remain so posted up until all proper changes have been made on the said list.

And that after ten o'clock in the evening of Thursday, the eighteenth day before polling day, no further changes will be made, and a copy of the said preliminary list together with a copy of the statement of changes and additions will constitute the official list of electors to be used for the taking of the votes at the pending by-election in the rural polling division aforesaid.

Dated at....., this..... day of....., 19....

.....  
Rural Enumerator.

FORM NO. 23.

INDEX BOOK. (Sec. 17, Sched. B, Rule 5.)

Form for first page.

Electoral district of .....

Polling division No.....comprising *(giving description of the boundaries of polling division)*.....  
.....  
.....

Consecutive Number	Name <i>(Family name first)</i>	Occupation	Post office address	Remarks

Form for second and subsequent pages.

Continuation of polling division No.....

Consecutive Number	Name <i>(Family name first)</i>	Occupation	Post office address	Remarks

# Canada Elections Act

239

FORM No. 24.

RURAL PRELIMINARY LIST OF ELECTORS. (Sec. 17 (15) and Sched. B, Rule 10.)

Electoral District of.....

Rural Polling Division No.....comprising (giving the description of the boundaries of the polling division).....

Consecutive Number	Name (family name first)	Occupation	Post office address
1	Allan, John.....	farmer.....	Britannia
2	Allan, Mrs. John.....	—.....	Britannia
3	Allan, Miss Helen.....	spinster.....	Britannia
4	Bradley, Thomas.....	merchant.....	Westboro
5	Bradley, Mrs. Thomas.....	—.....	Westboro
6	Bradley, Miss Jean.....	clerk.....	Westboro
7	Boyle, Mrs. Thomas.....	widow.....	Woodroffe
8	Carter, John.....	clerk.....	Westboro
9	Cummings, James.....	farmer.....	Britannia
10	Cummings, Mrs. James.....	—.....	Britannia
11	Caldwell, Samuel.....	labourer.....	Westboro
12	Dawson, William.....	farmer.....	R.R. No. 1, Westboro
13	Dawson, Mrs. William.....	—.....	R.R. No. 1, Westboro
14	Downing, Miss Mary.....	teacher.....	Woodroffe
15	Egan, Mrs. James.....	widow.....	Woodroffe
16	Foley, Benjamin.....	farmer.....	R.R. No. 1, Westboro
17	Foley, Mrs. Benjamin.....	—.....	R.R. No. 1, Westboro
18	Graham, Alexander.....	painter.....	Westboro
19	Graham, Mrs. Alexander.....	—.....	Westboro
20	Grant, Miss Evelyn.....	clerk.....	Westboro
21	Hodgins, Elmer.....	farmer.....	R.R. No. 1, Westboro
22	Hodgins, Mrs. Elmer.....	—.....	R.R. No. 1, Westboro
23	Hudson, James.....	labourer.....	Westboro
24	Jenkins, Thomas.....	farmer.....	Britannia
25	Jenkins, Mrs. Thomas.....	—.....	Britannia
26	Kelly, Miss Jane.....	spinster.....	Westboro
27	Lewis, Harry C.....	agent.....	Westboro
28	Lewis, Mrs. Harry C.....	—.....	Westboro
29	Lewis, Miss Suzanne.....	teacher.....	Westboro
30	Lewis, Peter.....	broker.....	Westboro
31	Martin, James.....	farmer.....	Westboro
32	Martin, Mrs. James.....	—.....	Westboro
33	Moore, Mervin.....	farmer.....	Westboro
34	Neil, John.....	labourer.....	Westboro
35	Osborne, Peter.....	farmer.....	Westboro
36	Osborne, Mrs. Peter.....	—.....	Westboro
37	Pratt, Oscar.....	farmer.....	R.R. No. 1, Westboro
38	Pratt, Mrs. Oscar.....	—.....	R.R. No. 1, Westboro
39	Richards, Peter.....	farmer.....	R.R. No. 2, Westboro
40	Richards, Mrs. Peter.....	—.....	R.R. No. 2, Westboro
41	Smith, Norman.....	merchant.....	Westboro
42	Smith, Mrs. Norman.....	—.....	Westboro
43	Smith, Miss Dora.....	clerk.....	Westboro
44	Thompson, James.....	labourer.....	Westboro
45	Thompson, Miss Mildred.....	spinster.....	Westboro
46	Timmins, Alex.....	farmer.....	R.R. No. 1, Westboro
47	Wilson, James.....	farmer.....	R.R. No. 2, Westboro
48	Wilson, Mrs. James.....	—.....	R.R. No. 2, Westboro
49	Yates, John.....	merchant.....	Westboro
50	Yates, Mrs. John.....	—.....	Westboro

I hereby certify that the attached.....sheets contain a true copy of the rural preliminary list of electors for the polling division above described as prepared by me for use at the pending election.

Dated at....., this.....day of....., 19....

.....  
Enumerator.



Canada Elections Act

FORM No. 25.

CERTIFICATE OF RURAL ENUMERATOR. (Sec. 17, Sched. B, Rule 20.)

I, ..... of .....  
(Insert name of enumerator) (Insert address)

in the Province of....., duly appointed as rural enumerator for polling division No. .... in the electoral district of....., do hereby declare that this index book contains as complete a list of the qualified electors in the said polling division as I have been able to prepare.

AND THAT I have prepared the official list of electors for this polling division impartially and to the best of my ability: there now appear therein the names of all persons in this polling division whom I believe to be qualified as electors at the pending election, and no names of any persons whom I do not believe to be qualified to vote appear therein as qualified electors.

Dated at....., this..... day of....., 19....

Rural Enumerator.

FORM No. 26.

STATEMENT OF CHANGES AND ADDITIONS MADE BY THE RURAL ENUMERATOR IN THE PRELIMINARY LIST OF ELECTORS IN THE INDEX BOOK.

(Sec. 17, Sched. B, Rule 19.)

Polling Division No. ....

Electoral District of.....

The following names have been added to the preliminary list of electors in the index book:

Name (Family name first)	Occupation	Post office address

The following names in the preliminary list of electors in the index book have been corrected so as to appear as follows:

Conse- cutive Number	Name (Family name first)	Occupation	Post office address

The following names appearing in the preliminary list of electors in the index book have been struck out:

Conse- cutive Number	Name (Family name first)	Occupation	Post office address

CERTIFICATE.

I hereby certify that the foregoing is a correct statement of all the changes and additions which have been made in the rural preliminary list of electors in the index book for the above polling division in the course of the revision.

Dated at....., this..... day of....., 19....

Enumerator.

## FORM No. 27.

## NOMINATION PAPER. (Sec. 21 (5).)

We, the undersigned electors of the electoral district of . . . . ., hereby nominate (*here give name in full, with surname first, address, and occupation of person nominated*) as a candidate at the election, now about to be held, of a member to represent the said electoral district in the House of Commons of Canada.

Signature of witness	Address of witness	Occupation of witness	Signatures of electors	Addresses of electors	Occupations of electors
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....

*Several signatures of electors may be bracketed and a witness need sign only once opposite the bracket for the whole series of signatures which he witnessed.*

I, the said . . . . ., nominated in the  
(*Insert name of candidate*)

foregoing nomination paper, hereby consent to such nomination, and name as my address for the serving of process and papers under the *Canada Elections Act* and under the *Dominion Controverted Elections Act*:

(*Insert address*)

I do, pursuant to subsection (1) of section 62 of the *Canada Elections Act*, hereby appoint . . . . ., whose address is . . . . . and whose occupation is . . . . ., as my official agent for the pending election.

Given under my hand at . . . . ., this . . . . . day of . . . . ., 19 . . . .

Signed by the said candidate  
in the presence of

(*Signature of candidate*)

(*Signature of witness*)

## FORM No. 28.

## OATH OF ATTESTATION OF THE NOMINATION PAPER. (Sec. 21 (9).)

I, . . . . ., of (*post office address*), (*occupation*), swear (*or solemnly affirm*) that I know the following persons who have signed the within nomination paper, namely:

and that they are duly qualified as electors in the electoral district of . . . . . to vote at an election of a member to serve in the House of Commons of Canada, and that they respectively signed the within nomination paper in my presence.

This oath (*or affirmation*) was sworn (*or affirmed*) before me at . . . . ., this . . . . . day of . . . . ., 19 . . . .

(*Signature of person attesting*)

*Returning Officer.*

## FORM No. 29.

## RETURN TO THE WRIT WHEN ELECTION IS BY ACCLAMATION. (Sec. 24.)

I hereby certify that the member elected for the electoral district of . . . . . in pursuance of the within writ, is (*insert name, address, and occupation of member elected, as stated in the heading of his nomination paper*), no other candidate having been nominated (*or the other or all other candidates having withdrawn, as the case may be*).

Dated at . . . . ., this . . . . . day of . . . . ., 19 . . . .

*Returning Officer.*

## Canada Elections Act

## FORM No. 30.

## NOTICE OF GRANT OF A POLL. (Sec. 25.)

Electoral District of .....  
 Province of .....

Public notice is hereby given to the electors of the electoral district aforesaid, that a poll has been granted for the election now pending for the said electoral district, and that such poll will be opened on ..... the ..... day of ..... 19...., at the hour of eight o'clock in the forenoon and kept open until the hour of six o'clock in the afternoon in the following polling stations established in the various polling divisions comprised in the said electoral district:

Polling Division No.: *(Here insert the description of the boundaries of the polling division, followed by the location of every polling station established therein.)*

*(Proceed as above in respect to all other polling divisions and polling stations.)*

Notice is further given that the persons duly nominated as candidates in the above mentioned electoral district, and only for whom votes may be cast, are:

- 1.) *(Insert the name, address, and occupation of each candidate as given in the heading of the nomination paper, and follow the name and particulars of each with (in smaller type) the words "Official Agent" and the name, address, and occupation of the official agent appointed by each candidate.)*
- 2.)
- 3.)

Of which all persons are hereby required to take notice and govern themselves accordingly.

Given under my hand at ..... this ..... day of ..... 19....

*(Print name of returning officer)*  
 Returning Officer.

## FORM No. 31.

## APPOINTMENT OF DEPUTY RETURNING OFFICER. (Sec. 26.)

To *(insert name of D.R.O.)* whose address is *(insert address)*.

Know you that I, in my capacity of returning officer for the electoral district of ..... do hereby appoint you to be deputy returning officer for polling station No. .... of the said electoral district which has been established at *(describe location of polling station)*;

That you are authorized and required to open the poll at the said polling station on the ..... day of ..... 19...., at eight o'clock in the forenoon and to keep the said poll open until six o'clock in the afternoon of the same day, and there to take by ballot the votes of the qualified electors at the said polling station according to the procedure set forth in the Instructions for Deputy Returning Officers issued by the Chief Electoral Officer;

And that, after having counted the votes cast for the various candidates and performed all the other necessary duties, you are required to transmit to me forthwith the ballot box, sealed with a special metal seal, enclosing only two envelopes, one containing the official statement of the poll and the other containing the poll book, the ballot papers—unused, spoiled, rejected and counted for each candidate—each lot in its proper envelope, together with the official list of electors and the other documents used at the taking of the votes.

Given under my hand at ..... this ..... day of ..... 19....

.....  
 Returning Officer.

## FORM No. 32.

## OATH OF OFFICE OF DEPUTY RETURNING OFFICER. (Sec. 26.)

I, the undersigned, appointed deputy returning officer for polling station No. .... of the electoral district of ..... do swear *(or solemnly affirm)* that I will act faithfully in my said capacity of deputy returning officer, without partiality, fear, favour or affection, and that I will keep secret the name of the candidate for whom the ballot paper of any elector is marked in my presence at the pending election. So help me God.

.....  
 Deputy Returning Officer.

## CERTIFICATE OF DEPUTY RETURNING OFFICER HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, hereby certify that on the ..... day of ..... 19...., the deputy returning officer above named subscribed before me the above set forth oath *(or affirmation)* of office.

In testimony whereof I have issued this certificate under my hand.

.....  
 Returning Officer,  
 or  
 Postmaster,  
*(or as the case may be)*



## FORM NO. 33.

APPOINTMENT AND OATH OF OFFICE OF POLL CLERK. (Sec. 26.)  
APPOINTMENT.

To....., whose occupation is.....  
and whose address is.....

Know you that, in my capacity of deputy returning officer for polling station No. ....  
of the electoral district of....., I hereby appoint you to be poll clerk  
for the said polling station.

Given under my hand at....., this.....day of....., 19....

.....  
*Deputy Returning Officer.*

## OATH OF OFFICE OF POLL CLERK. (Sec. 26.)

I, the undersigned, appointed poll clerk for the above mentioned polling station, do swear  
(or solemnly affirm) that I will act faithfully in my capacity of poll clerk, and also in that of  
deputy returning officer, if required to act as such, without partiality, fear, favour or affection,  
and that I will keep secret the name of the candidate for whom the ballot paper of any elector  
is marked in my presence at the pending election. So help me God.

.....  
*Poll Clerk.*

## CERTIFICATE OF POLL CLERK HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, hereby certify that on the..... day of....., 19....., the poll clerk above named subscribed before me the above set forth oath (or affirmation)  
of office.

In testimony whereof I have issued this certificate under my hand.

.....  
*Deputy Returning Officer.*

## FORM NO. 34.

APPOINTMENT OF A POLL CLERK BY A POLL CLERK ACTING AS DEPUTY RETURNING OFFICER.  
(Sec. 26.)

To....., whose occupation is.....  
(insert name of Poll Clerk) (insert occupation)

and whose address is.....  
(insert address)

Know you that, in my capacity of acting deputy returning officer for polling station  
No..... of the electoral district of....., in consequence of the decease (or incapacity to act, or as the case may be) of the deputy returning  
officer for the said polling station whose poll clerk I was, I hereby appoint you to be poll clerk  
for the said polling station of the said electoral district.

Given under my hand at....., this.....day of....., 19....

.....  
*Poll Clerk acting as Deputy Returning Officer.*

(The oath and certificate of its having been taken will be the same as in the case of a poll clerk appointed  
by the deputy returning officer.)

FORM No. 35.

FORM OF BALLOT PAPER. (Sec. 28.)

*Front.*

**BROWN, WILLIAM R.,**  
636 POWER ST., OTTAWA,  
BARRISTER.

**HAMON, FRANK ARTHUR,**  
R.R. NO. 3, WESTBORO,  
FARMER.

**O'NEIL, JOSEPH,**  
EASTVIEW,  
GENTLEMAN.

**SMITH, JOHN THOMAS,**  
239 BANK ST., OTTAWA,  
MERCHANT.





FORM No. 36.

AFFIDAVIT OF PRINTER. (Sec. 28 (6).)

I, ..... of the ..... of .....  
 ..... make oath and say:  
 (occupation)

1. That I am .....  
 (Insert "the sole member" or "one of the members of the firm of" or  
 .....  
 "the of the Co. Ltd.", or as the case may be.)

hereinafter called "the printer" by whom or by which ballot papers have been printed for the pending election in the electoral district of .....  
 for a member to serve in the House of Commons of Canada.

2. That ..... sheets for ballot papers numbered as follows, namely: .....  
 ..... were delivered to the said printer by the  
 returning officer for the printing of the said ballot papers which were printed with the names  
 of ..... candidates, each  
 (Insert number of candidates)

of the said sheets thus cutting into ..... ballot papers.  
 (Insert number of ballots)

3. That the number of ballot papers properly printed and delivered to the said returning officer was ..... and that no other ballot papers have been supplied to any other person.

4. That ..... sheets numbered as follows, namely: .....  
 were not required and have been returned to the returning officer in the condition in which they were received.

5. That every piece of ballot paper spoiled in printing has been delivered to the returning officer.

6. \*And that the ballot papers having been printed with the names of ..... candidates, the cut off portions of all the sheets out of which ballot papers were cut have been returned to the said returning officer for return to the Chief Electoral Officer, the same being arranged in numerical order according to the numbers printed thereon.

Sworn (or affirmed) before me at .....  
 .....  
 in the Province of .....  
 this ..... day of ..... 19....  
 .....  
 (Signature of printer)  
 .....  
 Returning Officer (or as the case may be)

\* Strike out this paragraph unless six, eight, nine, ten, twelve or more candidates are running.

FORM No. 37.

DIRECTIONS TO ELECTORS. (Sec. 36 (1).)

Each elector may vote at only one polling station and for only one candidate.

After being handed a ballot paper by the deputy returning officer, the elector will go into a voting compartment and, with a black lead pencil there provided, will make a cross, thus X, within the space on the ballot paper containing the name and particulars of the candidate for whom such elector desires to vote.

The elector shall then fold the ballot paper so that the initials of the deputy returning officer on the back and the number on the counterfoil can be seen and the counterfoil detached without unfolding the ballot paper; he shall then return the ballot paper so folded to the deputy returning officer who shall, in full view of those present, including the elector, remove the counterfoil, destroy the same, and the deputy returning officer shall then himself place the ballot paper in the ballot box. The elector shall then forthwith leave the polling station.

If an elector inadvertently spoils a ballot paper, he may return it to the deputy returning officer who, on being satisfied of the fact, will give him another.

If an elector votes for more than one candidate, or makes any mark on the ballot paper by which he can afterwards be identified, his vote will not be counted.

If an elector fraudulently takes a ballot paper out of the polling station, or fraudulently delivers to the deputy returning officer to be put into the ballot box any other paper than the ballot paper given him by the deputy returning officer, he will be disqualified from voting at an election for seven years thereafter and be liable, if he is a returning officer, election clerk, deputy returning officer, poll clerk, or other officer engaged in the conduct of such an election, to imprisonment without the alternative of a fine for a term not exceeding five years and not less than one year, with or without hard labour, and if he is any other person, to imprisonment for a term not exceeding three years and not less than one year with or without hard labour.

*In the following specimen of ballot paper, given for illustration, the candidates are William R. Brown, Frank Arthur Hamon, Joseph O'Neil, and John Thomas Smith, and the elector has marked his ballot paper in favour of John Thomas Smith.*

**BROWN, WILLIAM R.,**  
636 POWER ST., OTTAWA,  
BARRISTER.

**HAMON, FRANK ARTHUR,**  
R.R. NO. 3, WESTBORO,  
FARMER.

**O'NEIL, JOSEPH,**  
EASTVIEW,  
GENTLEMAN.

**SMITH, JOHN THOMAS,**  
239 BANK ST., OTTAWA,  
MERCHANT.

X

FORM No. 38. *Omitted in consolidation.*

FORM No. 39.

**OATH OF AGENT OR ELECTOR REPRESENTING CANDIDATE. (Sec. 34.)**

I, the undersigned (*insert name of candidate's agent*), agent of (*or elector representing*) (*insert name of candidate*), one of the candidates at the pending election in the electoral district of....., do swear (*or solemnly affirm*) that I will keep secret the name of the candidate for whom the ballot paper of any elector is marked in my presence at the said election. So help me God.

.....  
(*Signature of agent or elector*)

Sworn (*or affirmed*) before me at....., this.....  
day of....., 19....

.....  
*Deputy Returning Officer.*

Canada Elections Act

FORM No. 40.

POLL BOOK. (Sec. 36 (6).)

Consecutive number given each elector as he applies for a ballot paper	Particulars of elector			
	Name of elector (Family name first)	Occupation (No occupation will be inserted in the case of a woman who is not designated with an occu- pation on the official list)	Post office address	Consecutive number of elector on official list

Form numbers of oaths, if any, the elector is required to swear	Record that oaths sworn or refused (If sworn, insert "Sworn" or "Affirmed"; if refused, insert "Refused to be Sworn" or "Refused to Affirm" or "Refused to Answer")	Particulars of person vouching, in a rural polling division only, under section 46, for an elector whose name is not on the official list.		
		Name	Consecutive number of vouching elector on official list	Record that oath (Form No. 50) sworn (when sworn insert "Sworn")

Record that elector has voted - (When ballot paper put into ballot box, insert "Voted")	Remarks



## FORM No. 41.

## OATH OF QUALIFICATION. (Sec. 39 (1).)

(1) You swear (or solemnly affirm) that you are (*name, address and occupation*) as given on the list of electors now shown you;

(2) That you are a Canadian citizen or other British subject of the full age of twenty-one years;

(3) That you have been ordinarily resident in Canada for the twelve months immediately preceding this polling day, and that you were ordinarily resident in this polling division on the ..... day of ....., 19.... (*naming the date of the issue of the writ ordering the pending election*); (and, at a by-election, that you have continued to be ordinarily resident in this electoral district until today);

(4) That, to the best of your knowledge and belief, you are not disqualified as an elector in this polling division, at the pending election, under any of the provisions of the *Canada Elections Act*;

(5) That you have not received anything nor has anything been promised to you directly or indirectly, in order to induce you to vote or to refrain from voting at the pending election; and

(6) That you have not already voted at the pending election or been guilty of any corrupt or illegal practice in relation thereto. So help you God.

## FORM No. 42.

## AFFIDAVIT OF QUALIFICATION. (Sec. 39 (2).)

Electoral district of .....

Urban polling division No. ....

I, the undersigned, do swear (or solemnly affirm):

(1) That I am of the full age of twenty-one years;

(2) That I am a Canadian citizen or other British subject;

(3) That I have been ordinarily resident in Canada for the twelve months immediately preceding this polling day;

(4) That I was ordinarily resident in the above mentioned polling division on the ..... day of ....., 19.... (*naming the date of the issue of the writ ordering the pending election*); (and, at a by-election, that I have continued to be ordinarily resident in this electoral district until today);

(5) That I am not, to the best of my knowledge and belief, disqualified as an elector in the above mentioned polling division, at the pending election, under any of the provisions of the *Canada Elections Act*;

(6) That I have not received anything nor has anything been promised to me directly or indirectly, in order to induce me to vote or to refrain from voting at the pending election;

(7) That I have not already voted at the pending election nor have I been guilty of any corrupt or illegal practice in relation thereto;

(8) That I am the person intended to be referred to by the entry on the official list of electors for this polling station under consecutive No. .... of the name of ..... (*name as on list of electors*), whose occupation is given as ..... (*occupation as on list of electors*), and whose address is given as ..... (*address as on list of electors*); and

(9) That the name stated above is my true name and that the signature affixed hereto is in my usual handwriting (or in the case of an illiterate person—that the mark placed hereto is my usual method of signing my name).

Sworn (or affirmed) before me

at .....

this ..... day of ....., 19....

(Signature of deponent)

Deputy Returning Officer.

Canada Elections Act

FORM No. 43.

OATH AS TO ERROR ON LIST. (Sec. 41.)

You swear (or solemnly affirm) that you are qualified to vote at this election of a member to serve in the House of Commons of Canada and are not disqualified from voting thereat, and that you verily believe that you are the person intended to be referred to by the entry, on the list of electors used at this polling station, of the name (*name as on list of electors*), whose occupation is given as (*occupation as on list of electors*), and whose address is given as (*address as on list of electors*). So help you God.

FORM No. 44.

TRANSFER CERTIFICATE. (Sec. 43.)

No.....

Electoral district of.....

This is to certify that (*insert name of elector*), whose name appears on the official list of electors for polling station No..... in the above mentioned electoral district, whose occupation, as stated in the said list, is (*insert occupation*), and whose address, as stated therein, is (*insert address*),

Strike out lines { (1) is a candidate at the pending election desirous of voting  
(2) has been appointed to act as deputy returning officer or poll clerk  
(3) has shown to me his appointment to act as agent for a candidate  
at polling station No..... of the said electoral district.

And that, instead of voting at the polling station on the official list of electors for which his name appears, he may vote at the last mentioned polling station, provided that he is a candidate at the pending election in the above mentioned electoral district, or is actually engaged at such polling station on polling day in the capacity aforesaid.

Dated at....., this.....  
day of....., 19.....

.....  
Returning Officer or Election Clerk.

FORM No. 45.

AFFIDAVIT OF A CANDIDATE'S AGENT TO BE SUBSCRIBED BEFORE VOTING  
ON A TRANSFER CERTIFICATE.

(Sec. 43 (2).)

Electoral district of.....

I, the undersigned, do swear (or solemnly affirm):

- (1) That I am the person described in the above transfer certificate;  
(2) That I am actually agent of.....;  
(*insert name of candidate*)

(3) That it is my intention to act in that capacity until the poll is closed on this polling day, that I have taken the oath of secrecy in Form No. 39 of the *Canada Elections Act*, that I am a Canadian citizen or other British subject of the full age of twenty-one years, that I have been ordinarily resident in Canada for the twelve months immediately preceding this polling day, and that I was ordinarily resident in this electoral district on the.....  
day of....., 19.... (*naming the date of the issue of the writ ordering the pending election*); (and, at a by-election, that I have continued to be ordinarily resident in this electoral district until today);

(4) That I am not, to the best of my knowledge and belief, disqualified as an elector at the pending election in this electoral district, under any of the provisions of the *Canada Elections Act*;

(5) That I have not received anything nor has anything been promised to me directly or indirectly, in order to induce me to vote or to refrain from voting at the pending election; and

(6) That I have not already voted at the pending election nor have I been guilty of any corrupt or illegal practice in relation thereto. So help me God.

Sworn (or affirmed) before me }  
at..... }  
this..... }  
day of....., 19.... } .....  
..... } (*Signature of deponent*)  
..... }  
Deputy Returning Officer.

## FORM No. 46.

## OATH OF A PERSONATED ELECTOR. (Sec. 45 (5).)

You swear (or solemnly affirm) that you are (*name as on list of electors*), of (*address as on list of electors*), whose name is entered on the list of electors now shown you. So help you God.

## FORM No. 47.

## OATH OF AN INCAPACITATED ELECTOR. (Sec. 45 (7).)

You swear (or solemnly affirm) that you are incapable of voting without assistance by reason of your being unable to read or by reason of physical incapacity. So help you God.

## FORM No. 48.

## OATH OF FRIEND OF BLIND ELECTOR. (Sec. 45 (9).)

(1) You swear (or solemnly affirm) that you will keep secret the name of the candidate for whom you mark the ballot paper of the blind elector on whose behalf you act; and

(2) That you have not already acted as the friend of a blind elector for the purpose of marking his ballot paper at this election. So help you God.

## FORM No. 49.

## OATH OF AN APPLICANT RURAL ELECTOR. (Sec. 46.)

(1) You swear (or solemnly affirm) that you are (*name, address, and occupation*), and that you are a Canadian citizen or other British subject of the full age of twenty-one years;

(2) That you have been ordinarily resident in Canada for the twelve months immediately preceding this polling day, and that you were ordinarily resident in this electoral district on the ..... day of ..... 19..... (*naming the date of the issue of the writ ordering the pending election*);

(3) That you are now ordinarily resident in this rural polling division;

(4) That, to the best of your knowledge and belief, you are not disqualified as an elector in this rural polling division, at the pending election, under any of the provisions of the *Canada Elections Act*;

(5) That you have not received anything nor has anything been promised to you directly or indirectly, in order to induce you to vote or to refrain from voting at the pending election; and

(6) That you have not already voted at the pending election or been guilty of any corrupt or illegal practice in relation thereto. So help you God.

## FORM No. 50.

## OATH OF PERSON VOUCHING FOR AN APPLICANT RURAL ELECTOR. (Sec. 46.)

(1) You swear (or solemnly affirm) that you are (*name, address, and occupation*) as given on the list of electors now shown you;

(2) That you are now ordinarily resident in this rural polling division;

(3) That you know (*naming the applicant and stating his address and occupation*) who has applied to vote at the pending election in this polling station;

(4) That the said applicant is now ordinarily resident in this rural polling division;

(5) That you verily believe that the said applicant is a Canadian citizen or other British subject of the full age of twenty-one years, that he has been ordinarily resident in Canada for the twelve months immediately preceding this polling day, and that he was ordinarily resident in this electoral district on the ..... day of ..... 19.... (*naming the date of the issue of the writ ordering the pending election*); and

(6) That you verily believe that the said applicant is qualified to vote in this rural polling division at the pending election. So help you God.

## FORM No. 51.

## INFORMATION FOR PERSONATION. (Sec. 48.)

Canada,

Province of .....

County of .....

The information of ..... taken this ..... day of ..... 19....., before the undersigned, a deputy returning officer at a polling station in the ..... of ..... for an election being held for the electoral district of ..... of a member to serve in the House of Commons.

The said informant says that he believes that (*insert the name of the accused or, if it is not known then "a person whose name is to the informant unknown but who is now detained in the polling station by the order of the undersigned"*) on this day at the said polling station did commit the offence of personation by (*describe the offence in words following those of section 68 (a) (b) of the Canada Elections Act*).

Taken and sworn before me at the said polling station, the day and year above mentioned.

.....  
Deputy Returning Officer.



## Canada Elections Act

## FORM No. 52.

INFORMATION FOR VOTING WITH KNOWLEDGE OF DISQUALIFICATION, NON-QUALIFICATION OR INCOMPETENCY. (Sec. 48.)

Canada, }  
 Province of..... }  
 County of..... }

The information of..... taken  
 this..... day of....., 19....., before the under-  
 signed, a deputy returning officer at a polling station in the..... of  
 ..... for an election being held for the electoral district of.....  
 of a member to serve in the House of Commons.

The said informant says that he believes that (*insert the name of the accused*) who is now  
 detained in the said polling station under my order, on this day at the said polling station did  
 commit the offence of voting at said election then knowing that he was ("*disqualified*", "*non-qualified*" or "*incompetent*") to vote at such election.

Taken and sworn before me at the said polling station, the day and year above mentioned.

.....  
*Deputy Returning Officer.*

## FORM No. 53.

WARRANT FOR ARREST OF PERSON CHARGED WITH PERSONATION. (Sec. 48.)

Canada, }  
 Province of..... }  
 County of..... }

To all or any of the constables and other peace officers in the County (or Province) of  
 .....

Whereas, before the undersigned, a deputy returning officer at a polling station in the  
 ..... of..... for an election being held for the  
 electoral district of..... of a member to serve in the House of Commons  
 (*insert name or description of person as stated in information*) has this day been charged upon oath  
 with having committed the offence of personation on this day and at the said polling station by  
 (*describe the offence as in the information*).

These are therefore to command you in Her Majesty's name forthwith to apprehend the said  
 ..... and to bring him before (*insert the name or names of the magistrate  
 or magistrates before whom the accused is to be brought*) to answer unto the said charge and to be  
 further dealt with according to law.

Given under my hand and seal under the *Canada Elections Act* this.....  
 day of....., 19.....

.....  
*Deputy Returning Officer.*

## FORM No. 54.

WARRANT FOR ARREST OF A PERSON CHARGED WITH VOTING WITH KNOWLEDGE OF  
 DISQUALIFICATION OR INCOMPETENCY. (Sec. 48.)

Canada, }  
 Province of..... }  
 County of..... }

To all or any of the constables and other peace officers in the County (or Province) of  
 .....

Whereas, before the undersigned, a deputy returning officer at a polling station in the  
 ..... of..... for an election being held for the  
 electoral district of..... of a member to serve in the House of Commons  
 (*insert the name of the accused*) has this day been charged upon oath with having committed  
 on this day and at the said polling station the offence of having then and there voted at such  
 election knowing that he was ("*disqualified*", "*non-qualified*", or "*incompetent*") to so vote.

These are therefore to command you in Her Majesty's name forthwith to apprehend the said  
 ..... and to bring him before (*insert the name or names of the magistrate  
 or magistrates before whom the accused is to be brought*) to answer unto the said charge and to be  
 further dealt with according to law.

Given under my hand and seal under the *Canada Elections Act* this.....  
 day of....., 19.....

.....  
*Deputy Returning Officer.*

## FORM No. 55.

APPOINTMENT AND OATH OF A CONSTABLE. (Sec. 48 (10).)  
APPOINTMENT.

To.....  
(Insert full name of constable)

of.....  
(Insert post office address of constable)

Know you that, in my capacity of deputy returning officer for polling station No.....  
of the electoral district of....., I hereby appoint you to be a constable to maintain  
order in and around the above mentioned polling station throughout polling day.

Given under my hand at....., this.....  
day of....., 19.....

.....  
Deputy Returning Officer.

## OATH OF CONSTABLE.

I, the undersigned, appointed constable by the above named deputy returning officer, swear  
(or solemnly affirm) that I will act faithfully in my capacity of constable on this polling day.

.....  
(Signature of constable)

Sworn (or affirmed) before me  
on the above mentioned date.

.....  
Deputy Returning Officer  
(or as the case may be)

## FORM No. 56.

## OATH OF DEPUTY RETURNING OFFICER AT THE CLOSE OF THE POLL. (Sec. 50 (7).)

I, the undersigned, appointed deputy returning officer for polling station No.....  
of the electoral district of....., do swear (or solemnly affirm) that, to the  
best of my knowledge and belief, the poll book used at the said polling station has been kept  
correctly; that I have faithfully counted the votes cast for each candidate; that I have faithfully  
performed all my other duties as deputy returning officer; and that the official statement of the  
poll, poll book, ballot papers, and other necessary documents will be correctly prepared and  
placed in the ballot box, to the end that the said ballot box, being first locked and sealed with  
a special metal seal, may be regularly transmitted to the returning officer for the above men-  
tioned electoral district. So help me God.

.....  
Deputy Returning Officer.

Sworn (or affirmed) before me at....., this.....  
day of....., 19.....

.....  
Poll Clerk (or as the case may be)

## FORM No. 57.

## OATH OF POLL CLERK AT THE CLOSE OF THE POLL. (Sec. 50 (7).)

I, the undersigned, appointed poll clerk for polling station No..... of the electoral  
district of....., do swear (or solemnly affirm) that the poll book used at  
the said polling station has been kept to the best of my ability; that the total number of electors  
registered therein as having voted at this election is.....; that the said poll book  
contains a true and exact record of the taking of the votes at the said polling station; and that  
I have faithfully performed all my other duties as poll clerk. So help me God.

.....  
Poll Clerk.

Sworn (or affirmed) before me at....., this.....  
day of....., 19.....

.....  
Deputy Returning Officer  
(or as the case may be)

FORM No. 58.

STATEMENT OF THE POLL AFTER COUNTING THE BALLOTS. (Sec. 50 (8).)

Electoral District of ..... Polling Station No.....

Number of ballot papers received from the returning officer.....		
Number of ballot papers cast for.....		
“ “ “ .....		
“ “ “ .....		
“ “ “ .....		
“ “ “ .....		
“ “ “ .....		
“ “ “ .....		
Number of *REJECTED ballot papers.....		
(* A REJECTED ballot paper means a ballot paper which has been handed by the deputy returning officer to an elector to cast his vote but which, at the close of the poll, has been found in the ballot box unmarked or so improperly marked that it cannot be counted.)		
Total number of ballot papers found in box.....		
Number of unused ballot papers undetached from the books.....		
Number of **SPOILED ballot papers.....		
(**A SPOILED ballot paper means a ballot paper which, on polling day, has not been deposited in the ballot box, but has been found by the deputy returning officer to be soiled or improperly printed, or which has been handed by the deputy returning officer to an elector to cast his vote, and (a) has been spoiled in marking by the elector, and (b) has been handed back to the deputy returning officer and exchanged for another.)		
Total.....		

Number of names on official list of electors used at the poll.....

I hereby certify that the above statement is correct.

Dated at....., }  
this.....day of....., 19..... } Deputy Returning Officer.



## FORM No. 59.

OATH OF MESSENGER SENT TO COLLECT BALLOT BOXES, OR OF ANY CUSTODIAN OF BALLOT BOXES.

(Sec. 50 (9).)

I, (insert name, address and occupation of messenger or custodian), messenger or custodian appointed by (insert name of returning officer), returning officer for the electoral district of ..... swear (or solemnly affirm) that the several boxes to the number of ..... which were used at polling stations Nos. .... of this electoral district on polling day, now delivered by me to ..... were handed to me by (insert names of D.R.O.'s or authorized custodian from whom ballot boxes have been received); that they have not been opened by me or any other person, and that they are in the same state as they were in when they came into my possession.

.....  
(Signature of Messenger or Custodian)

Sworn (or affirmed) before me at ....., this .....  
day of ....., 19.....

.....  
Returning Officer  
(or as the case may be)

## FORM No. 60.

RETURN TO THE WRIT AFTER A POLL HAS BEEN TAKEN. (Sec. 56.)

I hereby certify that the member elected for the electoral district of ....., in pursuance of the within writ, as having received the largest number of the votes lawfully cast, is (insert name, address, and occupation of member elected, as stated in the heading of his nomination paper).

Dated at ....., this ..... day of ....., 19.....

.....  
Returning Officer.

## FORM No. 61.

RETURN OF ELECTION EXPENSES. (Sec. 63.)

Electoral District of .....  
On behalf of ....., a Candidate.

CERTIFICATE OF PERSON BEFORE WHOM STATUTORY DECLARATION IS MADE.

This is the return of election expenses referred to in the statutory declaration of ....., which said statutory declaration (in Form Nos. 62, 63 and 64 in Schedule One to the *Canada Elections Act*) was declared before me at ....., this ..... day of ....., 19.....

.....  
Returning Officer  
(or as the case may be)

## RETURN.

I, ..... of ....., in the Province of ....., being official agent for ....., a candidate at the election of a member to serve in the House of Commons of Canada, held on the (insert date of poll) day of ....., 19....., in the above mentioned electoral district, make the following return respecting the election expenses of the said candidate at the said election.

1—RECEIPTS

(a) Money or its value received.

There are accurately set out hereunder the name and occupation of every person (including the candidate) and of every club, society, company or association, from whom any money, securities or the equivalent of money was received in respect of expenses incurred on account of or in connection with or incidental to the above election, showing in the case of each person the amount or value received as a contribution (including subscription or gift), loan, advance, deposit or otherwise:

Name	Address	Occupation	State whether contribution, loan, advance or deposit	Amount or value	
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
Total				.....	.....

(b) Money or its value promised but not received.

In addition to the foregoing items, the persons (including the candidate), clubs, societies, companies or associations hereunder mentioned are all who have promised to pay but have not yet paid money or its equivalent for the purposes of expenses incurred, or to be incurred, on account of or in respect of the conduct or management of the said election, and the amount or value promised by them respectively, with its character, is set out after their names:

Name	Address	Occupation	State whether contribution, loan, advance, deposit, etc.	Amount or value	
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
Total				.....	.....

2—PAYMENTS MADE NOT REQUIRING A JUDGE'S ORDER.

(a) Candidate's personal expenses, postage, telegrams and petty claims.

Personal expenditure of candidate paid by him personally and notified to me under section 62 (4, 16).			Petty expenses paid under written authority under section 62 (17, 18), the statements of particulars being attached and numbered consecutively.		
Paid by me as his official agent.....			Consec. No.	Name	Amount
Total.....			.....	.....	.....
Postage paid by me.....			.....	.....	.....
Telegrams paid by me.....			.....	.....	.....
				Total.....	.....

## (b) Hire of premises.

There are set out below the name and address of every person, club, society, company and association from whom premises were hired for the purpose of the election, with a description of the premises so hired, the purpose for which and the length of time during which the same were used, and the amount paid therefor, vouchers for all the said payments for which vouchers have been received being attached hereto and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name of person from whom premises hired	Address	Descrip- tion of premises hired	Purpose for which used	Time for which used	Amount paid	
.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....
Total							

## (c) Services.

The following statement contains the name and address of every person, club, society, company or association to whom any payment was made for work done, with a description of the nature of the work done and the amount paid to each, vouchers for such payments being attached hereto, so far as the same have been received, and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name	Address	Nature of work done	Amount paid	
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
Total					

## (d) Travelling expenses and hire of vehicles.

The following statement contains the name and address of every person, club, society, company or association to whom any payment was made for travelling expenses or the hire of vehicles with the amounts paid to each, vouchers for such payments being attached hereto, so far as the same have been received, and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name	Address	Nature of claim	Amount	
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
Total					



(e) Goods supplied.

The following statement contains the name and address of every person, club, society, company or association to whom any payment (not already set out) was made, for goods supplied, with a description of the goods supplied and the amounts paid to each, vouchers for such payments being attached hereto so far as the same have been received and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name	Address	Description of goods supplied (If only hired, so state and give duration)	Amount paid	
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
Total				.....	.....

(f) Advertising.

The following statement contains the name and address of every person, club, society, company and association to whom any payment (not already set out) was made for advertising, with a description of such advertising and the amount paid to each, vouchers for such payments being attached hereto, so far as the same have been received, and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name	Address	Name of publication	Dates of issues	Amount	
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....
Total					.....	.....

3—UNDISPUTED CLAIMS STILL UNPAID OR UNDER A JUDGE'S ORDER.

The following statement contains the names and addresses of all persons whose undisputed claims were received too late, or remained unpaid too long, to be payable without a judge's order and in respect of which such an order has been or is about to be applied for, together with particulars of the nature of the claim, its amount, etc., as below set out:

Name	Address	Nature of claim	Paid or unpaid	If paid, date of order or judgment	Amount	
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....
Total					.....	.....

4—DISPUTED CLAIMS

In addition to the above, I am aware as official agent for the said candidate of the following (and only of the following) disputed and unpaid claims, the names and addresses of the claimants, the character of the claims respectively and the amount thereof being as set out below:

Name	Address	Character of disputed account	Amount	
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
Total			.....	.....

## FORM No. 62.

## OFFICIAL AGENT'S DECLARATION AS TO EXPENSES. (Sec. 63 (2).)

I, ....., being official agent of .....,  
 a candidate at the election held on the ..... day of ....., 19....., of a member to serve in the House of Commons of  
 Canada, do hereby solemnly declare that I have examined the return of election expenses about  
 to be transmitted by me to the returning officer at the said election and now shown to me by the  
 officer before whom this declaration is made and to the best of my knowledge and belief that  
 return is correct;

And I hereby further solemnly declare that except as appears from that return, I have not  
 and to the best of my knowledge and belief no other person, nor any club, society, company or  
 association has on behalf of the said candidate made any payment, or given, promised, or offered  
 any reward, office, employment, or valuable consideration, or incurred any liability on account  
 of or in respect of the conduct or management of the said election;

And I further solemnly declare that I have received from the said candidate the sum of  
 (insert "No" if the fact is so) ..... dollars and no more for the purposes of  
 the said election, and that, except as specified in the said return sent by me, no money, security,  
 or equivalent for money has been paid, advanced, given or deposited by any one to me or in my  
 hands, or to the best of my knowledge and belief, to or in the hands of any other person for the  
 purpose of defraying any expenses incurred on behalf of the said candidate on account of or in  
 respect of the conduct or management of the said election.

And I make this solemn declaration conscientiously believing it to be true, and knowing  
 that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence*  
*Act*.

.....  
 (Signature of declarant)

Signed and declared before me by the above named declarant at .....,  
 in the Province of ....., on the ..... day of ....., 19.....

.....  
 Returning Officer  
 (or as the case may be)

## FORM No. 63.

## CANDIDATE'S DECLARATION AS TO EXPENSES. (Sec. 63 (3).)

(Ordinary Form)

1. I, ....., whose address  
 is ..... and whose occupation  
 is ....., having been a candidate at the election of  
 a member to serve in the House of Commons of Canada for the electoral district of .....  
 held on the (insert date of poll) day of ....., 19.....  
 do hereby solemnly declare that I have examined the return of election expenses transmitted or  
 about to be transmitted by my official agent to the returning officer at the said election, a copy of  
 which return is now shown by me and signed by the officer before whom this declaration is made,  
 and to the best of my knowledge and belief that return is correct;

2. And I further solemnly declare that, except as appears from that return, I have not, and  
 to the best of my knowledge and belief no person, nor any club, society, company or association  
 has, on my behalf, made any payment, or given, promised, or offered any reward, office, employ-  
 ment, or valuable consideration, or incurred any liability on account of or in respect of the conduct  
 or management of the said election;

3. And I further solemnly declare that I have paid to my said official agent the sum of  
 ..... and no more for the purpose of the said election, and that,  
 except as specified in the return, no money, security, or equivalent for money has to my know-  
 ledge or belief been paid, advanced, given or deposited by any one to or in the hands of my  
 official agent or any other person for the purpose of defraying any expenses incurred on my  
 behalf on account of or in respect of the conduct or management of the said election;

4. And I further solemnly declare that I will not, except so far as I may be permitted by law,  
 at any future time make or be party to the making or giving of any payment, reward, office,  
 employment, or valuable consideration for the purpose of defraying any such expenses as last  
 mentioned, or provide or be party to the providing of any money, security, or equivalent for  
 money for the purpose of defraying any such expenses.

And I make this solemn declaration conscientiously believing it to be true, and knowing  
 that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence*  
*Act*.

.....  
 (Signature of declarant)

Signed and declared before me by the above named declarant at .....,  
 in the Province of ....., on the ..... day of ....., 19.....

.....  
 Returning Officer  
 (or as the case may be)

## FORM No. 64.

## CANDIDATE'S DECLARATION AS TO EXPENSES. (Sec. 63 (3).)

## (Alternative Form)

1. I, ....., whose address is ..... and whose occupation is ....., having been (*insert "in my absence nominated as" or "declared by others to be"*) a candidate at the election of a member to serve in the House of Commons of Canada for the electoral district of ....., held on the (*insert date of poll*) day of ....., 19....., do hereby solemnly declare that I have taken no part whatever in the said election;

2. And I further solemnly declare that, with the exceptions undernoted, I have not, and no person, club, society, company or association on my behalf, has made any payment, or given, promised, or offered any reward, office, employment or valuable consideration or incurred any liability on account of or in respect of the conduct or management of the said election;

Exceptions:

3. And I further solemnly declare that, with the exceptions undernoted, I have not paid any money or given any security or equivalent for money to the person acting as my official agent at the said election, or to any other person, club, society, company or association on account of or in respect of the conduct or management of the said election;

Exceptions:

4. And I further solemnly declare that, with the exceptions undernoted, I am entirely ignorant of any money, security, or equivalent for money having been paid, advanced, given or deposited by any one for the purpose of defraying any expenses incurred on account of or in respect of the conduct or management of the said election;

Exceptions:

5. And I further solemnly declare that I will not, except so far as I may be permitted by law, at any future time, make or be party to the making or giving of any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent of money for the purpose of defraying any such expenses.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

.....  
(Signature of declarant)

Signed and declared before me by the above named declarant at .....,  
in the Province of ....., on the ..... day of ....., 19.....

.....  
Returning Officer  
(or as the case may be)

## FORM No. 65.

## NOTICE OF HOLDING OF ADVANCE POLL. (Sec. 94 (8).)

Electoral District of .....

Take notice that, pursuant to the provisions of sections 94 to 97, inclusive, of the *Canada Elections Act*, an advance poll will be opened in the above mentioned electoral district at the

Town }  
City } of .....  
Village }

(Specify in capital letters the name of the place at which an advance poll is authorized to be established) at (Specify in capital letters the exact location of the advance polling station established at such place; one will be sufficient, and continue by specifying any other places, if any, at which the establishment of an advance poll is authorized and the location of the advance polling station in each of them respectively).

And further take notice that the said advance polling station will be open between the hours of two and ten o'clock in the afternoons and evenings of Thursday, Friday, and Saturday, the ..... and ..... days of ....., 19....., being the three week days immediately preceding the date fixed as the ordinary polling day at the pending election in the above mentioned electoral district, and that an elector whose name appears on the list of electors for any polling division in the said electoral district, and who is entitled to the privilege of voting at an advance poll, may vote in advance of the said ordinary polling day at any advance polling station established in the said electoral district.



And further take notice that the privilege of voting at an advance poll extends only to—

- (a) such persons as are employed as commercial travellers as defined in subsection (4) of section 2 of the *Canada Elections Act*, or such persons as are employed as fishermen as defined in subsection (12) of section 2, or such persons as are employed upon railways, vessels, airships, or other means or modes of transportation (whether or not employed thereon by the owners or managers thereof), and to any of such persons only if, because of the nature of the said employment, and in the course thereof, he is necessarily absent from time to time from the place of his ordinary residence, and if he has reason to believe that he will be so absent on the ordinary polling day at the pending election from, and that he is likely to be unable to vote on that day in, the polling division on the list of electors for which his name appears; and
- (b) such persons as are members of the reserve forces of the Canadian Forces or such persons as are members of the Royal Canadian Mounted Police Force and to any of such persons only if on account of the performance of duties or training in such forces, he has reason to believe that he will be necessarily absent on the ordinary polling day at the pending election from, and that he is likely to be unable to vote on that day in, the polling division on the list of electors for which his name appears.

And further take notice that advance poll certificates can be obtained only from the returning officer and the election clerk for the above mentioned electoral district. *(Whenever a specially deputized person has been appointed, the following sentence will be added to this paragraph):* Advance poll certificates may also be obtained from *(insert name and address)*, who has been specially deputized to issue such certificates.

And further take notice that the office of the undersigned which has been established for the conduct of the pending election, is located at.....

Town  
in the City of.....  
Village

Dated at....., this.....  
day of....., 19.....

*(Print name of returning officer)*  
Returning Officer.

#### FORM No. 66.

#### ADVANCE POLL CERTIFICATE AND STATEMENT OF IDENTIFICATION. (Sec. 96.) CERTIFICATE.

I hereby certify that *(insert full name of applicant elector)*, whose occupation as given on the official list of electors is *(insert occupation)*, whose address as given thereon is *(insert address)* and whose signature appears hereunder above mine has personally appeared before me and has satisfied me:

(1) That he is now employed.....*(insert: "by the.....  
Railway Company in the capacity of....." or "on the vessel known as the.....  
..... in the capacity of....." or "by.....  
as a commercial traveller", or "as a fisherman", or as the case may be), and*

(2) That by reason of the nature of his said employment and in the course thereof he is necessarily absent from time to time from the place of his ordinary residence, and

(3) That he has reason to believe that he will be so absent on the ordinary polling day at the pending election from, and that he is likely to be unable to vote on such polling day in, the undermentioned polling division on the list of electors for which his name appears, or that he is a member of the reserve forces of the Canadian Forces or that he is a member of the Royal Canadian Mounted Police Force and that, on account of the performance of duties or training in such forces, he has reason to believe that he will be necessarily absent on such polling day from, and that he is likely to be unable to vote on that day in, the undermentioned polling division on the list of electors for which his name appears, and

(4) That he is the person intended to be described by the entry of the name, occupation and address above set out on the official list of electors entitled to vote at the pending election in polling division No....., in the electoral district of.....

And I accordingly certify that he is a person entitled to vote at any advance poll established in the said electoral district on the conditions prescribed in the *Canada Elections Act* and in the Instructions for Deputy Returning Officers issued by the Chief Electoral Officer.

Dated at....., this..... day of....., 19.....  
.....  
*(Signature of applicant elector)*

.....  
Returning Officer (or as the case may be)

STATEMENT OF IDENTIFICATION AND DECLARATION.

I hereby declare that I am the person described in the above certificate, that all the facts therein stated with respect to my employment and anticipated absence from the place of my ordinary residence on the ordinary polling day are correct, and that I verily believe myself to be the person intended to be referred to by the entry on the official list of electors, the particulars of which are transcribed in the above certificate.

I am aware that, having presented this certificate at an advance poll, I am not entitled to vote at an ordinary polling station on the ordinary polling day.

.....  
(Signature of applicant elector)

PARTICULARS TO BE RECORDED BY POLL CLERK IN THE ADVANCE POLLING STATION

Consecutive number given to the elector as he applies for a ballot paper	FORM NUMBER OF ORAL OATH OR AFFIDAVIT, IF ANY, THE ELECTOR IS REQUIRED TO SWEAR	RECORD THAT OATH SWORN OR REFUSED  (If sworn, in- sert "Sworn" or "Affirmed"; if refused, in- sert "Refused to be Sworn" or "Refused to Affirm" or "Refused to Answer")	RECORD THAT ELECTOR HAS VOTED  When ballot paper put into ballot box, insert "Voted"	REMARKS

## SCHEDULE TWO

*(As amended under section 94 (3) of the Canada Elections Act up to January 1, 1956.)*

NAMES OF PLACES WHERE ADVANCE POLLS SHALL BE ESTABLISHED BY  
RETURNING OFFICERS.

*(NOTE that the following names are those of cities, towns and other places, and not in any case the names of electoral districts.)*

*Alberta.*—Calgary, Coronation, Edmonton, Jasper, Lethbridge, McLennan, Medicine Hat, Mirror.

*British Columbia.*—Burnaby, Cranbrook, Kamloops, Nelson, New Westminster, North Vancouver, Penticton, Prince George, Prince Rupert, Quesnel, Revelstoke, Squamish, Vancouver, Victoria.

*Manitoba.*—Brandon, Dauphin, East Kildonan, Minnedosa, Souris, St. Boniface, Transcona, West Kildonan, Winnipeg.

*New Brunswick.*—Campbellton, Edmundston, Fredericton, Fredericton Junction, Lancaster Highway Division, Moncton, Saint John, Woodstock.

*Newfoundland.*—Corner Brook West, St. John's.

*Nova Scotia.*—Amherst, Bridgewater, Halifax, Kentville, Liverpool, Lunenburg, New Glasgow, Shelburne, Sydney, Truro, Yarmouth.

*Ontario.*—Barrie, Belleville, Brantford, Brighton, Brockville, Campbellford, Capreol, Carleton Place, Chapleau, Chatham, Cobourg, Cochrane, Eastview, East York Township, Englehart, Fort William, Goderich, Gravenhurst, Guelph, Hamilton, Havelock, Hornepayne, Kenora, Kincardine, Kingston, Kitchener, Lindsay, London, MacTier, Mat-tawa, Midland, Mimico, Nakina, New Toronto, North Bay, North York Township, Orangeville, Orillia, Ottawa, Owen Sound, Palmerston, Parry Sound, Peterborough, Port Arthur, Port McNicoll, Rainy River, Richmond Hill, St. Thomas, Sarnia, Sarnia Tunnel, Sault Ste. Marie, Schreiber, Sioux Lookout, Smiths Falls, Stratford, Sudbury, Swastika, Toronto, Trenton, Wiarton, Windsor, Woodstock, York Township.

*Prince Edward Island.*—Charlottetown.

*Quebec.*—Charny, Farnham, Joliette, Jonquière, Lachine, Lauzon, Lévis, Montreal, Mont-Joli, Outremont, Parent, Quebec, Richmond, Rimouski, Rivière-du-Loup, Saint-Hyacinthe, Saint-Laurent, Saint-Rédempteur, Sherbrooke, Sorel, Trois-Pistoles, Trois-Rivières, Vallée-Jonction, Verdun, Westmount.

*Saskatchewan.*—Biggar, Kamsack, Melville, Moose Jaw, North Battleford, Prince Albert, Radville, Regina, Saskatoon, Sutherland, Weyburn, Wilkie, Wynyard, Yorkton.

*Yukon Territory and District of Mackenzie of the Northwest Territories.*—None.



## SCHEDULE THREE

## THE CANADIAN FORCES VOTING REGULATIONS

## EXCERPTS FROM OFFICE CONSOLIDATION

## QUALIFICATIONS OF CANADIAN FORCES ELECTORS.

Qualifica-  
tions of  
Canadian  
Forces  
elector.

**20.** (1) Every person, man or woman, who has attained the full age of twenty-one years and who is a Canadian citizen or other British subject, shall be deemed to be a Canadian Forces elector and entitled to vote, at a general election, under the procedure set forth in these Regulations, while he or she

- (a) is a member of the regular forces of the Canadian Forces;
- (b) is a member of the reserve forces of the Canadian Forces and is on full-time training or service, or on active service; or
- (c) is a member of the active service forces of the Canadian Forces.

Exception.

(2) Notwithstanding anything in these Regulations, any person who, on or subsequent to the 9th day of September, 1950, served on active service as a member of the Canadian Forces and who, at a general election, has not attained the full age of twenty-one years, but is otherwise qualified under subparagraph (1), shall be deemed to be a Canadian Forces elector and is entitled to vote under the procedure set forth in these Regulations.

\* \* \* \*

## ORDINARY RESIDENCE OF MEMBERS OF CANADIAN FORCES.

**22.** (1) *Repealed.*

Ordinary  
residence of  
members of  
regular  
forces.

(2) Before the dissolution of the 21st Parliament or before the expiration of two months from the day on which the *Canadian Forces Act, 1953*, was assented to, whichever is the earlier, every member of the regular forces who was such a member on the 21st day of June, 1952, shall complete, in duplicate, before a commissioned officer, a statement of ordinary residence, in Form No. 15, in which he or she shall show as his or her place of ordinary residence

- (a) the city, town, village, or other place in Canada, with street address, if any, in which is situated the residence of a person who is the spouse, dependant, relative or next of kin of such member; or
- (b) the city, town, village, or other place in Canada, with street address, if any, where such member is residing as a result of the services performed by him or her in such forces; or
- (c) the city, town, village, or other place in Canada, with street address, if any, in which was situated his or her place of ordinary residence prior to enrolment;

but where the member is serving outside Canada or in a ship and none of the foregoing clauses (a), (b) or (c) is applicable to him or her, the place of ordinary residence to be shown shall be the city, town, village, or other place in Canada, with street address, if any, where he or she resided as a result of the services performed by him or her in such forces immediately prior to being appointed, posted, or drafted for service outside of Canada or in a ship, as the case may be.

- (3) After the 21st day of December 1951,
- (a) every person shall, forthwith upon his or her enrolment in the regular forces of the Canadian Forces, complete, in duplicate, before a commissioned officer, a statement of ordinary residence, in Form No. 16, indicating the city, town, village or other place in Canada in which was situated his or her place of ordinary residence immediately prior to enrolment; and
- (b) a person, not having a place of ordinary residence in Canada immediately prior to enrolment in the regular forces of the Canadian Forces, shall complete, as soon as one or more of the provisions of subparagraph (2) become applicable to his or her circumstances, a statement of ordinary residence in Form No. 15 before a commissioned officer.
- (4) A member of the regular forces may, during the month of December in any year and at no other time,
- (a) except when he or she is also a member of the active service forces of the Canadian Forces, change his or her place of ordinary residence to the city, town, village or other place in Canada referred to in clause (a), (b) or (c) of subparagraph (2) by completing, in duplicate, before a commissioned officer a statement of change of ordinary residence, in Form No. 17, and
- (b) if he or she has failed to complete a statement of ordinary residence mentioned in subparagraph (2) or (3), complete such statement of ordinary residence either in Form No. 15 or Form No. 16.
- (5) Every member of the reserve forces of the Canadian Forces not on active service who, at any time during the period beginning on the date of the issue of writs ordering a general election and ending on the Saturday immediately preceding polling day, is on full-time training or service shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 18 indicating the city, town, village or other place in Canada where his or her place of ordinary residence was situated immediately prior to commencement of such period of full-time training or service.
- (6) Every member of the reserve forces of the Canadian Forces who is placed on active service and who during a current period of full-time training or service has not completed a statement of ordinary residence pursuant to subparagraph (5) shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 18, in which will be stated

Ordinary residence on enrolment in regular forces.

Change of ordinary residence and statement of ordinary residence when not previously completed.

Ordinary residence of member of reserve forces on full-time service.

Ordinary residence of member of reserve forces on active service

- (a) in the case of a member on full-time training or service, his or her place of ordinary residence immediately prior to the commencement of such full-time training or service; or
- (b) in the case of a member not on full-time training or service, his or her place of ordinary residence immediately prior to being placed on active service.

Ordinary residence on enrolment in active service forces.

(7) On enrolment in the active service forces of the Canadian Forces, every person who is not a member of the regular or reserve forces shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 16 indicating the city, town, village or other place in Canada in which is situated his or her place of ordinary residence immediately prior to enrolment in the active service forces.

Filing of statements.

(8) The original of each statement of ordinary residence or statement of change of ordinary residence completed pursuant to the subparagraphs of this paragraph shall be forwarded to and filed at the appropriate service Headquarters and the duplicate shall be retained in the unit with the declarant's service documents.

\* \* \* \*

#### QUALIFICATIONS OF VETERAN ELECTORS.

Qualifications.

41. Except as hereinafter provided, every person, irrespective of age, who

- (a) is a Canadian citizen or other British subject;
- (b) has been ordinarily residing in Canada during the twelve months immediately preceding polling day;
- (c) was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950;
- (d) has been discharged from such forces; and
- (e) is receiving treatment or domiciliary care in a hospital or institution operated under the direct control of the Department of Veterans Affairs or is receiving treatment or domiciliary care in another hospital or institution at the request or on behalf of the said Department;

shall be deemed to be a Canadian Forces elector and entitled to vote at the general election under the procedure set forth in these Regulations; for the purpose of these Regulations, the above mentioned persons shall be known as Veteran electors.

Veteran electors.

\* \* \* \*



## SCHEDULE FOUR

List of electoral districts in which nomination day is the twenty-eighth day before polling day.

*Province of Ontario*

Cochrane  
Kenora-Rainy River  
Port Arthur

*Province of Saskatchewan*

Mackenzie  
Meadow Lake  
Prince Albert

*Province of Quebec*

Chapleau  
Saguenay

*Province of Alberta*

Athabasca  
Jasper-Edson  
Peace River

*Province of Newfoundland*

Bonavista-Twillingate  
Burin-Burgeo  
Grand Falls-White Bay-  
Labrador  
Humber-St. George's  
Trinity-Conception

*Province of British Columbia*

Cariboo  
Skeena

*Yukon Territory*

Yukon

*Province of Manitoba*

Churchill

*Northwest Territories*

Mackenzie River

## SCHEDULE FIVE

THE CANADIAN PRISONERS OF WAR VOTING  
REGULATIONS, 1951

*Omitted in consolidation.*

## INDEX

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### A

#### Acclamation

Returns by, 282, 367, 24

#### Accounts

Of election officers, 204, 210, 236, 262, 266, 283, 311-316, 322, 60, 61

Paid by Comptroller of the Treasury, 60(3) (b)

Sent to Chief Examiner of Election Accounts, 205, 210, 221, 223, 236, 241(2), 253(3), 266, 268(3), 283, 302, 316, 322

Taxed by Chief Electoral Officer, 61(1)

Transmitted to Comptroller of the Treasury, 61(1)

#### Addition of Votes (Official)

Adjournment of, 306, 52(1-5)

Attendance of candidates at, 307, 387, 51(2)

Certification of result of voting after, 310, 388, 51(5)

Powers of returning officer on, 308, 52

Procedure upon, 306-310, 387, 51, 52

Returning officer to make, 204, 307, 308, 51

#### Administration of Oaths. *See* Oaths

#### Advance Polls. *See* Schedule Two to Act at page 263

Accounts for, (Form 159), 313, 314

Ballot papers counted at, 97(5)

Certificates (Form 66) to vote at, issue of, 298-300, 371, 96

Chief Electoral Officer amends Schedule Two as to, 94(3)

Commercial travellers, rights of, at, 298, 371, 2(4), 95(a)

Custody of ballot box used at, 97(4)

Definition of, 2(1)

Distribution of Notice of Holding of, 289(5), 371, 94(8)

Duplicates of certificates to vote at, delivered to deputy returning officers concerned, 299, 300, 302, 96(3) (f)

Election clerk issues certificates for, 298, 300, 371, 96(1) (a)

Establishment of, 289, 94

#### Advance Polls—*Con.*

Fishermen, rights of, at, 298, 371, 2(12), 95(a)

Hours of, 2(14), 94(7)

Manner of voting at, 96

Notice of Holding of, (Form 65), 289, 94(8)

Person specially deputized by returning officer, issues certificates for, 298-300, 371, 96(1) (a)

Postmasters post up Notice of Holding of, (Form 65), 289(5), 94(9)

Proceedings at close of, 97

Railway employees, rights of, at, 298, 371, 95(a)

Reserve forces, rights of members of, at, 298, 371, 95(b)

Returning officer issues certificates for, 298-300, 371, 96(1) (a)

Royal Canadian Mounted Police, rights of members of, at, 298, 371, 95(b)

Sailors, rights of, at, 298, 371, 95(a)

Specially deputized person issues certificates for, 298-300, 371, 96(1) (a)

Transportation employees, rights of, at, 298, 371, 95(a)

Votes counted at, 97(5)

Who may vote at, 298, 95, 96

#### Advance Poll Certificate (Form 66)

Delivered to deputy returning officer at advance poll, 96(1)

Duplicate of, transmitted to deputy returning officer of appropriate ordinary polling station, 299(2), 300, 302, 96(3) (f)

Right of holder of, 298, 95

Who may issue, 298-300, 371, 96(1) (a)

#### Affidavit. *See* Oaths

#### Affirmation. *See* Oaths

#### Agency

Importance of, 359

#### Agent. *See also* Agents at the Polls and Official Agent

Election offence committed by, 359, 360, 62(13), 83

Who becomes an, 360

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in *italic type* (thus: 54(3)) are to sections of the Canada Elections Act.

### Agents at the Polls

- Absence of, not to invalidate procedure, 35(3)
- Appointment of, (Form 100), 207 (3), 368, 34(3)
- Attendance of, 34
- Authority of, 34(3)
- Candidates assisting or acting as, 368, 35(2)
- Counting and inspecting ballot papers in the presence of, before opening of poll, 35(1), 97
- Oath of secrecy of, (Form 39), 368, 34(2)
- Signatures of, on envelopes containing ballot papers, 50(6), 97(3)
- Transfer certificates may be issued to, 296, 369, 43

### Air Travel, 221

### Aliens

- Not to act as election officers, 204 (5) (1), 100(1)(i)

### Arms

- Election officers may have, 382, 49(1)
- Prohibition of, on polling day, 382, 49(1)
- Returning officer may demand delivery of, 49(2)
- Strangers with, in polling division, 49(1)

## B

### Badges

- Enumerators'. *See* Urban Enumerators Party, when forbidden, 377, 49(3, 4)

### Ballot Boxes

- Chief Electoral Officer may have, made, 27(1)
- Cleaning and repairing of, 269
- Collection of, after poll, 292, 50(9, 11)
- Construction of, 27(2)
- Custody of, at advance polls, 97(4)
- Custody of, before polls, 30(2)
- Custody of, between poll and official addition, 304, 51(1)
- Custody of empty, after election, 320, 53
- Delivery of, by custodian to returning officer, 269, 27(3)
- Delivery of used, to returning officer after by-election, 292, 50(9-11)
- Deputy returning officers to receive, 291, 27(4), 30(1) (g)
- Destroyed or lost, procedure when, 306, 52(3)
- Destroying or opening of, penalty for, 29(f)

### Ballot Boxes—*Con.*

- Distribution of, before poll, 291, 30(1) (g)
- Documents to be enclosed in, after poll, 50(9)
- Examination of, before poll, 36(3), 97(1)
- Locking and sealing of, after poll, 50(9), 97
- Missing, procedure, 306, 52(1, 3), 54(8)
- Position of, during poll, 36(3), 97(1)
- Property in, 28(7)
- Sealing of, by returning officer, 291, 304, 51(1)
- Seals, special metal, for locking and sealing, 269, 291, 309, 27(2), 50(9), 51(1)
- Storing of empty, 320, 53
- Supplied to returning officers by C.E.O., 269, 27(1)

### Ballot Papers

- Arrangements for printing of, 275-277, 17(13), 28
- Binding of, 288, 28(5)
- Bogus, initialling, penalty for, 29(g)
- Bogus, printing, penalty for, 29(h)
- Bogus, putting into ballot box, penalty for, 29(d)
- Books of, 288, 28(5)
- Candidates' names on, 207(3), 276(3), 286, 364, 28(1, 3)
- Counterfoil of, number on, 28(5)
- Counterfoil of, removed by deputy returning officer, 45(3), 50(3)
- Counterfoil on, removal of, after vote cast, 45(3), 50(3)
- Counterfoil on, removal of, on recount, 54(9)
- Counting of, after poll. *See* Counting of Votes by Deputy Returning Officer
- Counting of, before opening of poll, 35(1)
- Deputy returning officer places, in ballot box, 45(3)
- Destroying of, penalty for, 29(a)
- Display of, inducing elector to, penalty for, 44(1) (d)
- Displaying of, by elector, illegal, 44(2)
- Distribution of, 287, 291, 13(1)(c), 30(1) (a)
- Elector to receive, from deputy returning officer, 45(1)
- Folding, mode of, 45(1, 2)
- Forging, penalty for, 29(a)
- Form of, (Form 35), 275-277, 286, 28(1)
- Furnishing of, to deputy returning officer, 291, 30(1) (a)
- Giving information as to number on, penalty for, 44(1) (b), (3)
- Illegal supplying of, penalty for, 29(b)



References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in *italic type* (thus: 54(3)) are to sections of the Canada Elections Act.

### Ballot Papers—*Con.*

- Inducing elector to display, penalty for, **385, 44(1) (d), (3)**
- Initiailling bogus, penalty for, *29(g)*
- Initiailling of, by deputy returning officer, before poll opens, *36(2), 45(1)*
- Inspection of, after election, *59(2)*
- Interfering with marking of, penalty for, *44(1) (a)*
- Marking, mode of, *45(3)*
- Marking of, by deputy returning officer, illegal in certain cases, *29(j)*
- Name of printer on, *28(6)*
- Names of candidates on, **207(3), 276(3), 286, 364, 28(1, 3)**
- None given elector refusing to be sworn, *40(2)*
- Number of, to be printed, **287**
- Number on, not to be disclosed, *44(1) (c)*
- Number on, penalty for taking on count, *44(1) (b), (3)*
- Number to appear on stub and counterfoil of, *28(5)*
- Numbering of, **288, 28(5)**
- Objection to, **386, 50(5)**
- Paper for, **275, 288, 28(4)**
- Pencils for marking, **207(4), 30(1) (c)**
- Printer's affidavit as to printing of, (Form 36), **288, 28(6)**
- Printing bogus, penalty for, *29(h)*
- Printing more, than authorized, penalty for, *29(i)*
- Printing of, procedure, **275-277, 286-288, 28**
- Property in, *28(7)*
- Recount of. *See* Recount
- Refusal of, to elector, *40(2)*
- Rejected, disposition of, *50(6)*
- Rejection of, **386, 50(2)**
- Removal of, from polling station, penalty for, *29(e)*
- Safe-keeping of, *30(2)*
- Sealing and placing of, in ballot box after poll, *50(6, 8, 9)*
- Sealing of, after recount by judge, **318, 54(11-13)**
- Second, issued to personated elector, *45(5, 6)*
- Sending of, with return to C.E.O., **321, 56(1)**
- Spoiled, *2(36), 45(4)*
- Stereotype blocks used in printing of, **277, 13(2), 28(5)**
- Stitching of, **288, 28(5)**
- Uniformity of, *28(1)*
- Weight of paper used for, *28(4)*

### Banners

- When forbidden, **376, 49(3)**

### Bribery

- Advancing money to be expended in, **355, 65(1) (e)**
- Demanding money, etc., as, from candidate or agent, *65(1) (f)*
- General cases of, **355**
- Giving, lending or promising money as, *65(1) (a)*
- Giving or promising employment as, *65(1) (b)*
- Giving or promising favours as, to prospective candidate, *65(1) (i)*
- Giving or promising money as, to obtain election of any person, *65(1) (c)*
- Penalty for, **65**
- Receiving money after election as, *65(1) (h)*
- Receiving money before or during election as, *65(1) (g)*
- Return procured by gift or loan as, *65(1) (d)*

### British Subject or British Nationality

- Statement relating to, **330**

### Broadcasts. *See* Radio Broadcasts

### By-Election Instructions

- Correction of errors in, **202**
- Distribution of, **207(3), 362**
- Election officers, for, **201**
- Scope and use of, **201, 350, 13(1) (a)**

### By-Elections

- Definition of, *2(2)*
- Nomination for, **279, 21**
- Polling day for, **21**
- Special mode of preparing lists at, **109**
- Writs for late, superseded and withdrawn, **113**

## C

### Campaign Expenses. *See* Election Expenses of Candidates

### Canada Elections Act

- Applies to elections of members to serve in the Council of the Northwest Territories, **114**
- Applies to elections of members to serve in the Council of the Yukon Territory, **115**
- Applies to votes taken under the *Canada Temperance Act*, **110**
- Consolidation of, **109, 112**
- Distribution of, **207, 13(1) (a)**
- Index of, *13(1) (a)*

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Canada Gazette

- Names of returning officers published in, 8(4)
- Notice of elected member published in, 56(5)
- Notice *re* advance polls published in, 94(4)
- Notice *re* consolidation of amendments to Act published in, 112
- Notice *re* withdrawal of writ for late by-election published in, 113
- Notice *re* withdrawal of writ in case of disaster published in, 7(4)
- Statement of modifications and omissions *re* Canada Temperance votes, published in, 110(2)

### Canada Temperance Act

- Canada Elections Act* to apply to votes taken under, 110
- Statement of modifications and omissions *re*, published in *Canada Gazette*, 110(2)

### Canadian Citizen or Canadian Citizenship

- Statement relating to, 330

### Canadian Forces. *See also* Forces, Naval, Army, and Air

- Members of, entitled to vote as civilian electors, 324(3), 14(6)
- Residence qualifications of members of, 327, 16(5)

### Candidate

- Address for service of papers on, 364, 21(5)
- Agent of, who is, 360
- Agent, official, of. *See* Official Agent
- Agents of, at the poll. *See* Agents at the Polls
- Avoidance of election of, 356, 359, 374, 396, 82-84
- By-Election Instructions and forms, to receive, 207(3), 362
- Cabinet minister, qualified as, 20(2) (a)
- Canadian citizen or other British subject, must be, 19
- Cars, signs on, by, prohibited, 376, 49(3)
- Certificate of judge on recount, delivered to, 319, 54(13)
- Certificate of returning officer *re* candidate obtaining largest number of votes, etc., at official addition, delivered to, 310, 388, 51(5)
- Certificate (Form 20 or 21), when elector left off official list, duplicate of, sent to, 301, 17(11, 12)

### Candidate—*Con.*

- Chief Electoral Officer to receive list of, nominated, 284
- Complaints by, 361, 391, 58(2)
- Comptroller of the Treasury to receive list of, nominated, 284
- Consent of, to nomination, 279, 21(8, 10a)
- Conveyance of electors to polls by, 384, 73, 74
- Corrupt practices by, conviction for, 82
- Costs of, in private prosecution, 89(3)
- Death of, after nomination, 23
- Definition of, 2(3)
- Deposit by. *See* Deposit by Candidate
- Disqualification as, 20, 81
- Disqualification as, election void, 20(3)
- Election officers, relations with, 361
- Employees (paid) of, disqualified, 204(6), 381, 15
- Expenses of. *See* Election Expenses of Candidates
- False statement as to, 77
- False statement as to withdrawal of, 375, 22(4)
- Forms for use by, 207(3), 283, 362, 21(5), 62, 63
- Liability of, for corrupt acts of agent, 359, 82, 83
- List of candidates nominated, sent to, on request, 284, 367, 21(16)
- List of deputy returning officers sent to, 294, 370, 26(2)
- Loudspeakers, use of, by, prohibited on polling day and day before, 376, 49(3)
- Name of, how printed on ballot papers, 207(3), 276(3), 286, 364, 28(1, 3)
- Nomination of. *See* Nomination
- Notice of appointment of official agent by, 278, 352, 357, 62(1)
- Notice of Grant of a Poll (Form 30), copies of, sent to, 268, 368, 25(4)
- Notice of Holding of Advance Poll (Form 65), copies of, sent to, 289(4,5)
- Notice of Revision (Form 14), copies of, sent to, 259, 365, 17(A23)
- Not nominated, votes for, void, 21(17)
- Official agent of, 278, 352, 353, 357, 358, 62
- Pledges, signing of, by, prohibited, 378, 107
- Political broadcasts by, prohibited two days prior to polling day and on polling day, 101
- Polling station, may be present in, 368, 34(1)
- Preliminary list of electors supplied to, 241, 253, 365, 17(6)
- Proclamation (Form 4), sent to, 229, 18(4)
- Qualification of, 19

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Candidate—*Con.*

- Recount, may be present at, 54(5)
- Return of elected, **282, 321, 389, 24, 52(6), 56**
- Statement of changes and additions (Form 19 or 26 or 112), copy of, sent to, **265, 365, 17(9), 17(A41)**
- Suggestions by, **391, 58(2)**
- Supplies for, **207(3), 362**
- Transfer certificate (Form 44), voting upon, **296, 369, 43(3)**
- Withdrawal of, **295, 363, 22**
- Woman may be a, **19**
- Writ, copy of return to, sent to, **319, 321, 56(3)**

### Canvassing for Votes

- By persons not residing in Canada, forbidden, **76**

### Cardboard Cover (Form 163) for Preliminary List

- Use of, by rural enumerators. *See* List of Supplies No. Three at page 106
- Use of, by urban enumerators. *See* List of Supplies No. Two at page 105

### Casting Vote

- By election clerk, **203(3)**
- By returning officer, **203(1), 310, 51(6)**
- By returning officer, on recount, **319, 54(14)**

### Certificates

- Advance poll, (Form 66), **298-300, 96**
- To vote (Forms 20, 21), in urban polling division when names left off list, **301, 17(11, 12), 37**
- Transfer, (Form 44), **296, 297, 43**

### Certification of Name of Candidate Obtaining Largest Number of Votes, **310, 388, 51(5), 52(6), 54(13)**

### Chief Electoral Officer—*Con.*

- Accounts, taxation of, by, **61(1)**
- Advance polls, amendment of list of, by, **94(3)**
- Appointment and duties of, **200, 203, 205, 361, 391, 3-5**
- Ballot boxes, construction of, by order of, **27(1)**
- Ballot paper furnished to returning officer by, **275, 13(1) (c), 28(4)**
- Ballot papers, deposit of, in court by, **59, 88(2)**
- Ballot papers, when, permits inspection of, **59(2)**

### Chief Electoral Officer—*Con.*

- Canada Temperance votes, statement of modifications and omissions *re*, published in *Canada Gazette* by, **110(2)**
- Canada Temperance votes, varying of Act for, by, **110**
- Candidates, list of, nominated, sent to, **284**
- Communication with, **205, 206, 361, 391**
- Compartments for voting, directions given as to, by, **272, 31(4)**
- Complaints to, **200, 361, 391, 58(2)**
- Consolidation of Act by, **109, 112**
- Custody of election papers by, **59(1)**
- Decision of, as to urban and rural polling divisions, **214(2), 12**
- Election offences, inquiry as to, by, **70(4-6)**
- Forms supplied by, **207, 13**
- Gazetting names of members elected, by, **56(5)**
- Inquiry for offences, by, **70(4-6)**
- Instituting proceedings for offences, by, **70**
- Instructions for election officers, supplied by, **201, 13(1) (a)**
- List of electors received by, from returning officer, **241(1), 253(2), 17(8)**
- List of returning officers published in *Canada Gazette* by, **8(4)**
- Northwest Territories elections, varying of Act for, by, **114**
- Notice in *Canada Gazette* by, *re* withdrawal of writ for late by-election, **113**
- Notice in *Canada Gazette* by, *re* withdrawal of writ in case of disaster, **7(4)**
- Offences inquired into, by, **70(4-6)**
- Polling divisions, directs revision of, **214, 11**
- Polling stations, authorizing of additional, by, **33, 99**
- Postal privileges of, **206, 13(3)**
- Proceedings for offences, by, **70**
- Production of election papers by, **59, 88**
- Report by, **200, 391, 56(6), 58**
- Result of voting after official addition, certificate of, sent to, **310**
- Revising officer reports to, in cases of padding of urban lists, etc., by enumerators, **17(A12)**
- Rural polling divisions, discretion as to, by, **214(2), 2(35), 12**
- Special powers of, **99**
- Stereotype blocks supplied to returning officer by, **277, 13(2)**
- Suggestions to, **202, 391, 58(2)**
- Supplies distributed by, **207, 269, 274, 275, 277, 13**
- Tariff of fees to be recommended by, **60(1)**



References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

**Chief Electoral Officer—Con.**

- Urban polling divisions, discretion of, as to, 214(2), 2(38), 12
- Writ book kept by, 56(5)
- Writ of election (Form 1) issued by, 226, 7(2)
- Yukon Territory elections, varying of Act for, by, 115

**Chief Examiner of Election Accounts**

- Account forms for services of returning officer, supplied by, 203(2)
- Accounts sent to, 205, 210, 221, 223, 236, 241(2), 253(3), 266, 268(3), 283, 302, 316, 322
- Advance, request for, sent to, by returning officer, 211
- Deputy returning officers, list of names and addresses of, sent to, 294
- Enumerators, list of names and addresses of, sent to, 231, 246
- Printed list of electors received with enumerators' accounts by, 236(5), 266(5)
- Returning officer communicates with, *re* accounts, etc., 205
- Warrant stubs sent to, 315, 316
- Warrants, requisition for, (Form 94), sent to, 312

**Cities and Towns**

- Preparation of lists of electors in incorporated, 12, 17

**Clergymen**

- Ineligibility of, as election officers, except in the electoral districts mentioned in Schedule Four printed at page 267, 204(5) (d), 100(1) (d), (3)

**Clerical Assistants to Returning Officer, 203(5)**

**Code Words**

- Use of, 209

**Commercial Travellers**

- Advance polling rights of, 298, 371, 95(a)
- Definition of, 2(4)

**Communication by Telegraph, 206, 104**

**Comptroller of the Treasury**

- Candidates, list of, nominated, sent to, 284
- Deposits of candidates to be sent to, 280, 282, 21(12)
- Payment of election officers by, 60(3) (b)
- Return of candidates' deposits by, 390, 21(14, 15)
- Warrants, Election Fees, drawn on, 60(3) (a)

**Constables**

- Appointment of, (Form 55), by deputy returning officers, 204(2), 48(1, 7, 10), 49(1)
- Appointment of, by returning officer, 204(2), 49(1)
- Appointment of, by revising officers, 17(A39)
- Fees of. *See* Tariff of Fees at page 97

**Constituency. *See* Electoral District**

**Contracts**

- Relating to elections, void, 353, 393, 62(6), 64

**Conveyance of Electors to Poll**

- Paying for, illegal, 384, 73, 74

**Corrupt Practices. *See also* Offences**

- Advancing money as bribery, 355, 379, 65(1) (e)
- Attempting to vote when not qualified, 381, 69
- Bribery, 355, 65
- Candidate guilty of, disqualified, 20, 81
- Charges of, not triable at Quarter or General Sessions, 93
- Conveyance of electors to poll, 384, 73, 74
- Criminal prosecutions for, allegations required, 90
- Demanding bribe of agent or candidate, 65(1) (f)
- Disqualification for, 20(1) (a), 81
- False pretences, 67(2)
- False statement as to candidate, 375, 22(4), 77
- General cases of, 355, 356, 360
- Giving, lending, promising money, 65(1) (a)
- Giving, promising employment, 65(1) (b)
- Person guilty of, disqualified, 20(1) (a), 81
- Personation, 68
- Personation, subornation of, 68(c)
- Preventing, 355, 356, 360
- Prohibited persons voting, 355, 381, 38, 69
- Prosecutions for, time limit, 92
- Receiving money after election, 65(1) (h)
- Receiving money before or during election, 65(1) (g)
- Treating, 355, 379, 383, 66
- Undue influence, 379, 67(1)

**Costs**

- In actions, security for, 86(3)
- In criminal cases, payment of, 89(1)

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Costs—*Con.*

- In criminal cases, security for, 89(2)
- On private prosecution, 89(3)
- On recount, 54(15, 16)

### Counting of Votes by Deputy Returning Officer

- Oaths (Forms 56, 57), to be taken after, 50(7)
- Objections upon, 386, 50(5)
- Packaging of papers after, 50(6, 8, 9)
- Preliminary statement of poll, at, 50(10)
- Procedure upon, 50
- Statement of poll after, (Form 58), 386, 50(8)
- Tally sheets for, 50(1) (f)

### Criminal Code

- Application of, 48(8, 9)

### Custodian

- Of ballot boxes. *See* Ballot Boxes

### Custody of Election Papers

- After poll until return, 304, 309(3), 51(1)
- After return to the writ, 59
- Upon recount, 318, 54(11)

## D

### Death of Candidate. *See* Candidate

### Death of Deputy Returning Officer. *See* Deputy Returning Officer

### Death of Returning Officer

- Notification of, to Chief Electoral Officer, by election clerk, 203(3), 9(5)

### Declaration of Elected Candidate, 319, 321, 389, 24(1), 54(13), 55(8), 56(1)

### Declaration, Statutory

- Who may administer, 213, 105

### Definitions

- Advance poll, 2(1)
- By-election, 2(2)
- Candidate or candidate at an election, 2(3)
- Commercial traveller, 2(4)
- During an election, at an election or throughout an election, 2(5)

### Definitions—*Con.*

- Election, 2(6)
- Election documents or election papers, 2(7)
- Election officer, 2(8)
- Election petition, 2(9)
- Elector, 2(10)
- Electoral district, 2(11)
- Fishermen, 2(12)
- Form, 2(13)
- Hours of the day, 2(14)
- Judge or the judge, 2(15)
- Judicial district, 2(16)
- List of electors, 2(17)
- Member, 2(18)
- Nomination day or the day of nominations, 2(19)
- Oath, 2(21)
- Official agent, 2(20)
- Official list of electors, 2(22)
- Official nomination or officially nominated, 2(23)
- Person, 2(24)
- Personal expenses, 2(25)
- Poll book, 2(26)
- Polling day or day of polling, 2(27)
- Polling division, 2(28)
- Polling station, 2(29)
- Preliminary lists of electors, 2(30)
- Province, 2(31)
- Recount, 2(32)
- Rejected ballot paper, 2(33)
- Revising officer, 2(34)
- Rural polling division, 2(35)
- Spoiled ballot paper, 2(36)
- Stereotype block, 2(37)
- Urban polling division, 2(38)
- Voter, 2(39)
- Writ, 2(40)

### Deposit by Candidate

- Disposition of, by returning officer, 280, 282, 284, 363, 21(12)
- Form of, 279, 363, 21(10) (b)
- Receipt for, (Form 135), 280, 21(11)
- Return of, 390, 21(14, 15)

### Deputy Returning Officer

- Account of, (Form 101 or 159), 210, 305, 312, 314-316, 60(3a, 4)
- Advance poll certificates, duplicates of, transmitted to, 299(2), 300, 302, 96(3)(f)
- Appointment of, (Form 31 or 92), 274, 293, 26

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Deputy Returning Officer—Con.

- Attendance of, if ballot box missing, **306**, 52(4, 7)
- Ballot box, disposition of, by, **292**, 50(9-11)
- Ballot box, when to have made, 27(4)
- Ballot papers deposited in ballot box by, 45(3)
- Ballot papers, initialling of, before poll opens, by, 36(2), 45(1)
- Ballot papers, marking of, by, 29(j), 45(7, 8, 10)
- Ballot papers, safe-keeping of, by, 30(2)
- Certificates (Forms 20, 21), duplicates of, transmitted to, **301**, **302**, 17(11, 12)
- Constable, appointment of, by, **204(2)**, 48(1, 7, 10)
- Counterfoil removed from ballot paper by, 45(3), 50(3)
- Counting of votes, duties of, at, 50
- Death of, 26(6)
- Disqualification as, **204(5)**, **274**, 100
- Fees of. *See* Tariff of Fees at page 97
- Instructing electors by, 45(2)
- Interpreter may be appointed by, 45(11)
- List of electors furnished to, **245(4)**, **262**, **291**, 17(B22), 30(1) (f), 32
- List of names of, **294**, **370**, 26(2, 5)
- Names of, to be given candidates, **294**, **370**, 26(2)
- Oath of, (Form 56), after counting votes, 50(7)
- Oath of office of, (Form 32), **274**, 26(1)
- Oaths, swearing of, before, 37, 39, 40, 41, 45(5, 7-9), 46, 105(1)
- Official agent may not act as, **274**, **352**, 62(3)
- Order, powers of, as to maintaining, 48
- Payment of, **311**, **312**, **315**, 60(3) (a)
- Personation, how dealt with, by, 48
- Poll clerk to be appointed by, **274(6)**, 26(4)
- Poll clerk, when, acts as, 26(6, 7)
- Poll, conduct of, by, 45, 46
- Poll, statement of, (Form 58), issued by, **386**, 50(8)
- Preliminary statement of poll issued by, 50(10)
- Qualifications of, **204(5)**, **274**, 100(2)
- Refusal or inability to act as, **293**, 26(3)
- Replacing of, **293**, 26(3)
- Sanatorium, etc., votes of bedridden patients in, taken by, 45(14)
- Statement of poll (Form 58) issued by, **386**, 50(8)
- Supplies and information for, **274**, **291**, 30. *See also* Lists of Supplies Nos. Five and Six at pages 108 and 109

### Deputy Returning Officer—Con.

- Telegraphic communication with and by, 104
- Transfer certificate (Form 44) may be issued to, **296**, 43(4)
- Transfer certificates, duplicates of, transmitted to, **297**, **302**, 43(7) (e)
- Travelling allowance, not entitled to, **224(6)**, **274(2)**

### Diary of Duties of Returning Officer, **201**. *See* page 110

### Directions to Electors (Form 37)

- Posting up of, at advance polls, 36(1)
- Posting up of, at ordinary polls, 36(1)
- Supply of, 30(1) (d)

### Disqualification of Candidates, 20, 81

### Disqualification of Electors, 325, 14-16

- Affidavit as to, (Form 15), 17(A28)
- For corrupt practices, 81
- For hiring conveyances, 73, 74
- For other offences, 29
- Removal of, when procured by perjury, 85
- What electors are disqualified, **325**, **355**, **381**, 14(2), 15

## E

### Election

- Acclamation, by, procedure, **282**, **367**, 24
- Avoidance of, **356**, **360**, 20(3), 83, 84
- Date of, fixed by Governor in Council, 21(1)
- Definition of, 2(6)
- Expenses. *See* Election Expenses of Candidates and Fees and Expenses
- Falling on holiday, procedure, 21(2)
- Papers, definition of, 2(7)
- Petition, definition of, 2(9)
- Postponement of, on death of candidate, 23
- Return of elected candidate at. *See* Return to Writ
- Stationery for, property of Crown, 28(7)
- Writ of, (Form 1). *See* Writ of Election

### Election Clerk

- Acting as returning officer, **203**, 9(6, 7)
- Administration of oaths by, **213**, 105
- Appointment of, (Form 3), **203**, 9(1)
- Attendance of, at nomination, **281**, 21(13)



References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Election Clerk—*Con.*

- Attendance of, at official addition of votes, **307**, 51(2)
- Attendance of, at recount, **318**, 54(5)
- Attendance of, while the polls are open, **303**, 10(2)
- Conduct of election by, when R.O. incapacitated, **203**, 9(6, 7)
- Death of R.O., conduct of by-election by, **203**, 9(6)
- Death or incapacity to act of R.O., notification to C.E.O. by, **203**, 9(5)
- Dismissal of, **203**, 9
- Duties of, **203**, 9, 10
- Fees of, **203**(4). *See* Tariff of Fees at page 94
- Incapacity of returning officer, procedure by, **203**, 9(6)
- Ineligible to act as, who is, **204**(5), 100
- Issue of advance poll certificates (Form 66), by, **298**, **300**, 96(1)
- Issue of transfer certificates (Form 44), by, **296**, **297**, 369, 43
- Misfeasance by, penalty for, 70
- Neglect of duty by, penalty for, 70
- Notification of incapacity or death of R.O. to C.E.O., by, **203**, 9(5)
- Oath of office of, (Form 3), **203**, 9(1)
- Qualification as elector of, **203**
- Qualifications of, **203**, **204**, 100
- Refrains from voting when acting as R.O., **203**
- Removal from office of, **203**, 9(4)
- Tenure of office of, **203**, 9(4)
- Travelling by, **203**(4), 222
- Unable or refusing to act, another appointed, **203**, 9(2)
- Voting on transfer certificate by, **296**, 43(4)

### Election Documents

- Definition of, 2(7). *See* Election Papers

### Election Expenses of Candidates

- Contracts, for, **353**, **393**, 62(6), 64
- Disputed accounts, for, **394**, 62(12, 14)
- Forbidden, what are, **355**
- Official agent to pay, **353**, **356**, 62(4, 7, 8)
- Permissible, what are, **355**
- Personal, **352**, **353**, **356**, **392**, 62(4, 15, 16), 63(1, 3)
- Petty, **353**, **393**, 62(4, 17, 18)
- Record of, by official agent, **356**
- Return of. *See* Return of Election Expenses
- Time for payment of, **393**, 62(11, 12, 14)

### Election Expenses of Candidates—*Con.*

- Time for rendering accounts for, **393**, 62(8, 10)
- Vouchers for, **356**, **394**, 62(7, 18), 63(2, 6)

### Election Fees Warrants

- Deputy returning officers paid by, **311**, **312**, 60(3) (a)
- Drawn on Comptroller of the Treasury, 60(3) (a)
- Issued by returning officer, **204**(1), **311**–**313**, **315**, **316**, 60(3) (a)
- Landlords of polling stations paid by, **311**, **312**, 60(3) (a)
- Poll clerks paid by, **311**, **312**, 60(3) (a)
- Postage for transmission of, **212**(3)
- Requisition for, (Form 94), sent to Chief Examiner of Election Accounts, **311**, **312**
- Stubs of, sent to Chief Examiner of Election Accounts, **315**, **316**
- Supplied to returning officer by Chief Examiner of Election Accounts, **312**

### Election Offences. *See* Offences

### Election Officers

- Appointment of, **203**, **204**, **231**, **245**, **256**, **274**, 8, 9, 17(A1-5, 17, 18), 17(B1-3), 26, 48(10)
- Arms on election day, may carry, 49(1)
- Candidate's relations with, **361**
- Definition of, 2(8)
- Exempted from serving as, **204**(5), 100
- Fees and expenses of. *See* Fees and Expenses
- Instructions from C.E.O. to, **200**, **201**, 13(1) (a)
- Misfeasance by, 70
- Neglect of duty by, 70
- Oaths of, **203**, **231**, **245**, **274**, 9, 26, 17(A1, 18), 17(B3)
- Official agents may not act as, **203**, **274**, **352**, 62(3)
- Transfer certificates (Form 44), issue of, to, **296**, 43(4)

### Election Papers

- Custody of. *See* Custody of Election Papers
- Definition of, 2(7)
- Deposit in court of, 59, 88(2)
- Inspection of, 59(2)
- Production of, 59(2), 88(2)
- Return of, to Chief Electoral Officer, **282**, **321**, 56(1)

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Election Petition

- Definition of, 2(9)
- Fines and penalties, appropriation of, on, 91
- Summons to attend trial of, 91
- Trial of, 91

### Election Results on Polling Day

- Premature publication of, forbidden, 108

### Election Supplies

- Issue of, 207, 13, 30
- Use of, after revision of Act, 116

### Elector

- Ballot paper, display of, by, forbidden, 44(2)
- Blind, oath of, (Form 47), 45(8, 9)
- Certificate (Form 20), to receive, when name, by mistake, left off urban list by enumerators, 301(1), 17(11), 37
- Certificate (Form 21), to receive, when name, by mistake, left off official urban list by revising officer, 301(2), 17(12), 37
- Conveyance of, on payment, forbidden, 384, 73, 74
- Corrupt practice, disqualification of, 81
- Definition of, 2(10)
- Directions to, (Form 37), posting up of, 36(1)
- Disfranchisement of, 81
- Displaying ballot paper by, forbidden, 44(2)
- Disqualification of, 325, 14-16
- Impeding or molesting, forbidden, 385, 36(5)
- Incapacitated, oath of, (Form 47), 45(7)
- Inducing, to show ballot paper, forbidden, 385, 44(1) (d), (3)
- Instructing of, by D.R.O., 45(2)
- Interference with, 385, 44(1) (a)
- Interpreter for, 45(11)
- Intimidation of, 67
- List of. *See* List of Electors
- Mode of voting by, 45(3-12)
- Name to be given by, 36(6)
- Nationality of, 324, 330, 14(1) (b)
- Number of, in polling station, 36(6)
- Personated, how to vote, 45(5)
- Personation of, penalty for, 68
- Poll book (Form 40), entries relating to, 39, 41(2), 42, 43(8), 45(6, 8), 46(3)
- Qualifications of, 324, 326-330, 14-16
- Questions, refusal to answer, by, 39, 42(d)
- Residence of, 326-329, 16
- Right to vote of, 14, 37(1), 46

### Elector—*Con.*

- Rural polling division, name of, not on list of electors, may vote, 46
- Screened from observation, while voting, 31(2)
- Spoiling ballot paper by, 45(4)
- Swearing of. *See* Oath of Elector
- Treating of, 379, 383, 66
- Undue influence of, 379, 67(1)
- Urban enumerators' notification card issued to, 17(A9)
- Urban polling division, name of, must be on list of electors to be entitled to vote, 37(1)
- Votes only once, 37(3)
- Votes without delay, 45(12)

### Electoral District

- Definition of, 2(11)
- Divided into polling divisions, 214, 11, 12
- Polling stations of, 230, 270, 271, 31
- Returning officer to divide, 214, 11, 12

### Employees

- Allowed additional time for voting, 47

### Enumerator. *See* Rural Enumerator or Urban Enumerators

### Evidence

- Certificate of Chief Electoral Officer to be, 59(7)
- Certificate of returning officer to be, 90(2)
- General, of fact of election, 88
- No privilege in respect of, 87
- Of husbands and wives, 86(5)
- Production of writ or return not required, 88(1)

### Executory Contracts Void, 393, 62(6), 64

### Expenses. *See* Election Expenses of Candidates and Fees and Expenses

## F

### False Oaths

- Compelling or inducing, penalty for, 75

### False Registration

- Penalty for, 17(16)

### False Statements as to Candidates, 375, 22(4), 77

### Fees and Expenses. *See* Tariff of Fees at page 94

- Generally, 210, 60, 61
- Of constables, 311

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Fees and Expenses—*Con.*

- Of deputy returning officers, **311, 314, 315**
- Of election clerks, **203**
- Of interpreters, **311**
- Of landlords, **311**
- Of messengers, **222, 302**
- Of poll clerks, **311, 314**
- Of returning officers, **203, 322**
- Provisions for, *60*

### Fines and Penalties

- Appropriation of, *91(4)*

### Fire-arms. *See* Arms

### Fishermen

- Advance polling rights of, **298, 371, 95(a)**
- Definition of, *2(12)*

### Flags

- At elections, forbidden, **376, 49(4)**

### Forces, Naval, Army, and Air (*Members of, known as Canadian Forces electors*)

- Members of, absent, entitled to be registered, **327, 16(5)**
- Rule as to residence of members of, **327, 16(5)**
- Right of voting by members of, **324(3), 14(6)**

### Foreign Canvassers, *76*

### Forms. *See* Numerical table of forms at page 99

- Account, for services of returning officer, supplied by Chief Examiner of Election Accounts, **203(2)**
- Definition of, *2(13)*
- Use of, after revision of Act, *116*

### French Language

- Notice of Grant of a Poll (Form 30), when printed in, **268, 25(2)**
- Proclamation (Form 4), when printed in, **228, 18(1)**

## G

### *Gazette, Canada.* *See* Canada Gazette

### Governor in Council

- Dates fixed by, *7(2), 21*
- Election, date of, fixed by, *21(1)*
- Returning officers appointed by, **203, 8**
- Tariff of fees approved by, *60(1)*
- Writ may be withdrawn by, in case of disaster, *7(4)*

### Grant of a Poll. *See also* Notice of Grant of a Poll

- Notice of, (Form 30), **267, 268, 270, 278, 285, 291, 352, 357, 25**

## H

### Hiring of Carriages

- Forbidden, **384, 73, 74**

### Holiday

- Nomination day falling on, procedure, *21(4)*
- Polling day falling on, procedure, *21(2)*
- Sittings for revision falling on, **258(3), 17(A26)**

### Hospitals

- Ordinary residence of patients in, **328**

### Hours

- Definition of, *2(14)*
- Extra, to electors for voting, *47*
- Of the day, **204(7), 367, 2(14)**
- Polling, *31(5), 94(7)*

### Husbands

- Evidence of, in election cases, *86(5)*

## I

### Illegal Practices. *See* Corrupt Practices and Offences

### Indians

- Definition of, **325(c), 14(2) (e)**
- Disqualification of, **325(c), 14(2) (e)**
- Wives of veteran, may vote, **324(6), 14(4)**

### Indictable Offence

- Punishment of, *78, 89-91, 93*

### Instructions. *See* By-Election Instructions

### Interference with Election Documents

- Penalty for, **373, 72**

### Interpretation of Terms, *2*

### Interpreter

- Appointment of, by deputy returning officer, *45(11)*
- Appointment of, by revising officer, *17 (A37)*
- Fees of, **311.** *See* Tariff of Fees at page 97



References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

**Intimidation, 67**

**Intoxicating Liquors**

Sale, supplying of, etc., illegal, **355, 379, 383, 49(5)**

**J**

**Judge**

Definition of, *2(15)*  
Disqualification as election officer, **204(5), 100(1) (e)**  
Disqualified as elector, **325(b), 14(2) (d)**  
Recount by. *See* **Recount**  
To act as revising officer, **256, 365, 17(A17), 100(3)**

**Judicial District**

Definition of, *2(16)*

**Justice of the Peace**

Deputy returning officer to have powers of, *48(1)*  
Returning officer to have powers of, **204, 48(1)**  
Revising officer to have powers of, *17(A39)*  
Swearing of oaths before, **213, 105**

**L**

**Labels**

Party, when forbidden, **377, 49(3, 4)**

**Liability of Election Officers**

Chief Electoral Officer to institute proceedings, *70(4-6)*  
General, **70**

**Limitation of Time**

Non-compliance, not to void election, *84*  
Prosecution for offences, *92*

**List of Electors.** *See also* **Official List of Electors and Preliminary List of Electors**

Additions to, on certificates (Forms 20, 21), in urban polling divisions, **301, 17(11, 12)**  
Alphabetical, **232 (4), 249, 273 (2, 4), 17(5) (b), 17(15), 17(B10), 33(3, 5, 7)**  
Certificate (Forms 20, 21) issued when name omitted from official urban, **301, 17(11, 12)**  
Copies of, furnished to deputy returning officer, **262, 265, 291, 30(1) (f), 32(2, 3)**  
Definition of, *2(17)*  
Delivery of, to deputy returning officers, **262, 265, 291, 30(1) (f), 32(2, 3)**

**List of Electors—Con.**

Dispatch of, to Chief Electoral Officer, **241, 253, 17(8)**  
Dispatch of, to Chief Examiner of Election Accounts, **236(5), 266(5)**  
Dispatch of, to returning officer, **234, 247, 17(A15, 41), 17(B11, 20)**  
Dispatch of preliminary, to various electors in urban polling divisions, **242, 17(7)**  
Distribution of, to candidates, **241, 253, 365, 17(6)**  
Dividing of, **271, 273, 33**  
Geographical, in urban polling divisions, **237, 239, 17(5) (a), 17(A13)**  
Official, to be used at poll, **262, 265, 2(22), 32, 33**  
Posting up of, **232, 245, 17(A16), 17(B11)**  
Preparation of, in rural polling divisions, **243-247, 17, Schedule B**  
Preparation of, in urban polling divisions, **232, 237-240, 17, Schedule A**  
Printing of, **237-240, 249-252, 17(4, 5, 13)**  
Printing of extra copies of, **240(4), 252**  
Revision of, in rural polling divisions, **263-266, 17(B13-24)**  
Revision of, in urban polling divisions, **254-262, 17(A17-41)**  
Rural, are alphabetical, **273(2), 17(5) (b), 17(B10)**  
Rural, elector whose name not on, may vote, **324(2), 46**  
Statement of changes and additions (Form 26), for rural, **265, 17(9, 10), 17(B19-23)**  
Statement of changes and additions (Form 19 or 112), for urban, **262, 17(9, 10), 17(A40, 41)**  
Statement of changes and additions (Form 149), special, when rural, is split up, **273(2), 33(7)**  
Statement of changes and additions (Form 19 or 112), when urban, is split up, **273(3, 4), 33(7)**  
Statement of changes and additions in, sent to candidate, **265, 17(9), 17(A41)**  
Supplied:  
(a) To candidate by R.O., **241, 253, 365, 17(6)**  
(b) To C.E.O. by R.O., **241, 253, 17(8)**  
(c) To Chief Examiner of Election Accounts by R.O., **236(5), 266(5)**  
(d) To D.R.O. by R.O., **262, 265, 291, 30(1) (f), 32(2, 3)**  
(e) To revising officer by R.O., **260, 17(A25)**  
(f) To R.O. by enumerators, **234, 247, 17(A15), 17(B11, 20)**

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in *italic type* (thus: 54(3)) are to sections of the *Canada Elections Act*.

### List of Electors—*Con.*

- Urban, is alphabetical in certain cases, **232**, 17(15)
- Urban, is geographical, **232**, **237**, **239**, 17(5) (a), 17(A13)
- Urban preliminary, mailed to various electors, **242**, 17(7)

### M

#### Mackenzie River

- Nomination of candidates in. *See* Schedule Four printed at page 267
- Payment of election officers in, 60(3)
- Police magistrates in, ineligible as election officers, 204(5) (e), 100(1) (e)
- Publication of Notice of Grant of a Poll (Form 30) in, 25(2)
- Publication of Proclamation (Form 4) in, 18(2)

#### Manual, Urban Enumerators', 201, 232(3)

#### Meetings, Public

- Peace and good order at, **380**, 106

#### Members

- Definition of, 2(18)
- Of Council of the Northwest Territories, disqualified as candidates, 20(1) (g)
- Of Parliament, not to be election officers, **204** (5) (c), 100(1) (c)
- Of provincial legislatures, disqualified as candidates, 20(1) (d)

#### Members of Canadian Forces

- Ordinary residence of, **327**, 16(5)

#### Messengers

- Appointment of, (Form 87), for collecting ballot boxes, **292**, 50(9)
- Collecting ballot boxes, after, oath of, (Form 59), **292**, 50(9)
- Fees of, **222**, **302**
- To travel in rural areas, **222**, **302**
- To travel in urban areas, **302**

#### Metal Seals for Ballot Boxes, 269, 291, 309, 27(2), 50(9), 51(1), 97(1)

#### Ministers

- Not to be election officers, except in the electoral districts mentioned in Schedule Four printed at page 267, **204** (5) (d), 100(1) (d), (3)

#### Misfeasance by Election Officer, 70

#### Mistake, not to Void Election, 84

### N

#### Nomination

- Attendance of candidates at, **367**
- Attendance of election clerk at, **281**, 21(13)
- Attendance of returning officer at, **281**, 21(13)
- Consent of candidate to, **279**, 21(8, 10a)
- Death of candidate after, 23
- Deposit to accompany, **279**, **363**, 21(10) (b)
- Each candidate separately, **279**, 21(7)
- Form of, (Forms 27, 28), **207**(3), **279**, **362**, 21(5)
- Hours for, on nomination day, **281**, 21(13)
- Place of, **228**, **367**, 21(13)
- Poll, when to follow, 25
- Receipt for deposit (Form 135), issued on, **280**, 21(11)
- Return of member after, **282**, **367**, 24
- Time for, **363**, **367**, 21(13)
- Withdrawal from **295**, **363**, 22

#### Nomination Day

- Date of, 21(3)
- Death of candidate after, 23
- Definition of, 2(19)
- Different in certain electoral districts, 21(3). *See* Schedule Four at page 267
- On holiday, procedure when, 21(4)

#### Nomination Paper (Forms 27, 28)

- Attestation of, (Form 28), **279**, **363**, 21(9)
- Candidate's description on, **207**(3), **279**, **364**, 21(5, 6)
- Consent of candidate to accompany, **279**, 21(10) (a)
- Distribution of forms of, **207**(3)
- Form of, (Form 27), **207**(3), **279**, 21(5)
- Non-compliance with Act not to invalidate, 84
- Particulars of candidate on, **207**(3), **279**, **364**, 21(5, 6)
- Prepared on single form, (Forms 27, 28), **279**, 21(7)
- Receipt for, (Form 135), **280**, 21(11)
- Separate for each candidate, **279**, 21(7)
- Signatures to, **279**, **363**, 21(5, 8, 10a)
- Validity of, 84
- Witness to signatures on, **279**, **363**, 21(8)

#### Non-Compliance With Act

- General, 70(2)
- Not to invalidate election, 84

#### Northwest Territories

- Canada Elections Act* to apply to elections of members to serve in the Council of the, 114
- Members of Council of the, disqualified as candidates, 20(1) (g)

**References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.**

#### **Notice of Grant of a Poll (Form 30)**

- Allowances for printing. *See* Tariff of Fees at page 95
- Candidates named in, **285, 25(2) (a)**
- Distribution of, **285, 25(2, 4)**
- Number of, to be printed, **268(2)**
- Official agent named in, **278, 285, 352, 357, 25(2) (b), 62(1)**
- Penalty for defacing, **373, 72**
- Posted up by postmasters, **285, 25(5)**
- Printed in English and French in Quebec and Manitoba, **268, 25(2)**
- Publication of, by returning officer, **267, 268, 285, 25**
- Setting in type of, **267**
- Specimen of, **267**
- Supplied to candidates, **285, 25(4)**
- Supplied to Chief Electoral Officer, **285**
- Use of, **285, 25(4, 5)**

#### **Notice of Holding of Advance Poll (Form 65)**

- Allowances for printing. *See* Tariff of Fees at page 95
- Distribution of, **289, 94(8)**
- Number of, to be printed, **289(4)**
- Penalty for defacing, **373, 72**
- Posted up by postmasters, **289(5), 94(9)**
- Publication of, by returning officer, **289, 94(8)**
- Specimen of, **289(2)**
- Supplied to candidates, **289(4, 5), 94(8, 9)**
- Supplied to Chief Electoral Officer, **289(4, 5), 94(8, 9)**
- Use of, **289, 94(8, 9)**

#### **Notice of Revision (Form 14)**

- Allowances for printing. *See* Tariff of Fees at page 95
- Distribution of, **259, 17(A23, 25)**
- Penalty for defacing, **373, 72**
- Posted up by returning officer, **259, 17(A23)**
- Posted up by revising officer, **17(A24)**
- Publication of, **259, 17(A23)**
- Supplied to candidates, **259, 17(A23)**
- Supplied to Chief Electoral Officer, **259**
- Supplied to revising officer, **259, 17(A25)**

#### **Notice of Rural Enumeration (Form 22)**

- Issued by rural enumerator, **17(B3)**
- Notice of rural revision in, **17(B3)**
- Posted up by rural enumerator, **17(B3, 16)**

#### **Notice to Electors *re* "Sittings for Revision, Subscription of Affidavits of Objection, and Location of Polling Station"**

- Copy of printed preliminary list sent as, in urban polling divisions, **242, 17(7)**

#### **Notification Card**

- Completed by urban enumerators, **17(A9)**
- Issued by urban enumerators, **17(A9)**
- Urban elector to receive, **17(A9)**

### **O**

#### **Oath of Elector**

- Adult voting age (Form 41), as to, **39**
- Blind elector (Form 47), **45(8, 9)**
- Identity (Form 46), as to, **45(5)**
- Physical incapacity (Form 47), as to, **45(7, 8)**
- Previous voting (Form 41), as to, **39**
- Refusal to take, cannot vote, **40(2)**
- Rural polling division, name not on list (Form 49), **46**
- Rural polling division, person vouching (Form 50), **46**
- Urban polling division, affidavit of qualification (Form 42), **39(2)**

#### **Oaths**

- Administration of, **213, 279, 363, 40(1), 105**
- Administration of, to be gratuitous, **105(2)**
- Definition of, **2(21)**
- False, **75**
- Forms of, to be sent to deputy returning officer, **291, 30(1) (i)**
- Persons refusing to take, not to vote, **40(2)**

#### **Offences**

- Armed person entering poll, **382, 49(1)**
- Arms, refusal to deliver, **49(2)**
- Attempt to commit certain, **29**
- Badge, enumerator's, illegal wearing of, **17(A8)**
- Badges, party, supplying or using of, **377, 49(3, 4)**
- Ballot papers, bogus, printing of, **29(h)**
- Ballot papers, bogus, putting into ballot box of, **29(d)**
- Ballot papers, forging or destroying of, **29(a)**
- Ballot papers, illegal supply of, **29(b)**
- Ballot papers, taking from polling station, **29(e)**
- Bribery, **355, 65**
- By-election results, premature publication of, on polling day, **108**
- Conveyance of electors to poll, paying of, **384, 73, 74**
- Defacing proclamation, posters, etc., **373, 72**
- Destroying or interfering with ballot box, **29(f)**



References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

#### Offences—*Con.*

- Destroying packets of ballot papers, 29(f)
- Disqualification for, 20, 81
- Election expenses, default in statement of, 398, 63(8)
- Election expenses, untrue, statement of, 398, 63(9)
- Election inquiry by C.E.O., 70(4-6)
- Election officer, may not act as official agent, 203, 274, 352, 62(3)
- False pretences, 67
- False registration, 17(16)
- False statement as to withdrawal of candidate, 375, 22(4)
- Favours, party, supplying or using of, 377, 49(3, 4)
- Flags, supplying or using of, 377, 49(3, 4)
- Giving information as to whom elector voted for, 44(1) (c, e)
- Impeding or obstructing enumerators in performance of duties, 17(18)
- Indictable, 78, 89-91, 93
- Inducing elector to display ballot paper, 385, 44(1) (d), (3)
- Influence, undue, 379, 67(1)
- Inquiry by C.E.O. as to, 70(4-6)
- Interfering with elector, 385, 44(1) (a)
- Labels, party, supplying or using of, 377, 49(3, 4)
- Liquor, spirituous, supplying of, 355, 379, 383, 49(5)
- Misfeasance by election officer, 70
- Neglect of duty by election officer, 70
- Oaths, 213
- Oaths, false, 75
- Personation, penalty for, 68
- Personation, subornation of, 68(c)
- Pledges, signed by candidates, 378, 107
- Printed matter, etc., without name of printer, 374, 71
- Printing bogus ballot papers, 29(h)
- Printing more ballot papers than required, 29(i)
- Proceedings instituted by C.E.O. as to, 70(4-6)
- Proclamation, notices, etc., defacing of, 373, 72
- Public meetings, peace and good order at, 380, 106
- Refusal of deputy returning officer to attend on summons of returning officer, 52(7)
- Refusal of returning officer to return candidate, 57
- Ribbons, etc., supplying or using of, 377, 49(4)

#### Offences—*Con.*

- Secrecy at poll, violation of, 385, 44
- Spirituous liquor, selling or giving of, on polling day, 355, 379, 383, 49(5)
- Summons to persons guilty of, 91
- Treating, 355, 379, 383, 66
- Undue influence, 379, 67(1)
- Voting without qualification, 38, 69

**Official Addition of Votes.** See Addition of Votes (Official)

#### Official Agent

- Appointment of, (with Form 27), 278, 352, 357, 62(1)
- Candidate responsible for acts of, 359, 82
- Contracts by, 393, 62(6)
- Contributions to be received by, 353, 62(4)
- Corrupt practices by, 359, 82
- Death of, 278, 358, 62(2)
- Definition of, 2(20)
- Disbursements to be made by, 353, 356, 62(4, 7, 8)
- Duties of, 352, 353, 356, 393, 394, 62, 63
- Election officer may not act as, 203, 274, 352, 62(3)
- Election officer's partner or clerk may not act as, 203, 274, 352, 62(3)
- Expenses to be paid by, 353, 356, 62(4, 7, 8)
- Incapacity of, 278, 358, 62(2)
- Name of, published in Notice of Grant of a Poll (Form 30), 278, 285, 352, 357, 25(2) (b), 62(1)
- Notice of appointment of, 278, 285, 352, 357, 62(1)
- Notification of appointment of, to returning officer, 278, 352, 357, 62(1)
- Public notice of appointment of, 278, 357, 25(2), 62(1)
- Qualifications of, 352, 62(3)
- Refusal to act by, 358
- Subscriptions to be received by, 353, 62(4)
- Voting by, 352

**Official List of Electors.** See also List of Electors and Preliminary List of Electors  
Definition of, 2(22)

Rural polling division, for, 17(10)

Supplied to D.R.O. by R.O., 262, 265, 291, 30(1) (f), 32

Urban polling division, for, 17(10)

**One Person One Vote,** 37(3)

**References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.**

### Ordinary Residence

- Definition of, **326(1)**, *16(1-4)*
- Of inmates of lodgings, hostels, refuges, etc., **325(h)**, *16(14)*
- Of members of the Canadian Forces, **327**, *16(5)*
- Of patients in ordinary (acute) hospitals, **328A**
- Of persons in a sanatorium, etc., **328B**, *16(15)*
- Of persons temporarily engaged in a public work, **325(i)**, *16(12)*
- Of students, **326(2)**
- Of summer residents, **325(g)**, *16(9)*
- Of teachers, **329**
- Of wives or dependants of persons temporarily engaged in a public work, **325(j)**, *16(13)*

### P

### Patients in Hospitals

- Ordinary residence of, **328**

### Peace and Good Order

- Arms, carrying of, on polling day, **382**, *49(1, 2)*
- Arrest of disturbers of, *48(1) (b)*
- Constables for maintenance of, **204**, *48(10)*
- Public meetings, at, **380**, *106*
- Returning officers and deputies to be conservators of, **204**, *48(1)*

### Penalty and Forfeiture

- Action for recovery of, *86(1)*
- Allegations in action for, *86(4)*
- Disqualification as a, *80*
- Evidence in actions for, *86(5, 6)*
- Imprisonment for non-payment of, *86(2)*
- Security for costs in actions for, *86(3)*

### Perjury

- Disqualification for, *85*
- Subornation of, *68*

### Person

- Definition of, *2(24)*

### Personal Expenses

- Definition of, *2(25)*
- Of candidates, **352**, **353**, **356**, **392**, *62(4, 15, 16)*, *63(1, 3)*

### Personation

- Arrest of person charged with, *48(4)*
- Candidate guilty of, disqualified, *81*
- Criminal Code applies in case of, *48(8, 9)*
- Definition and penalty, *68, 69*
- Deputy returning officer, powers of, in case of, *48*
- Detention of persons guilty of, *48(3)*
- Information for, (Form 51), *48(2)*
- Magistrate before whom, tried, *48(8)*
- Oath in cases of, (Form 46), *45(5)*
- Penalty for, *68*
- Poll clerk to be constable in cases of, *48(7)*
- Procedure in cases of, *48*
- Right to vote unaffected by, *45(5, 6)*
- Subornation of, *68(c)*
- Summary of proceedings in case of, *48(2)*
- Trial of charge for, before whom held, *48(8)*
- Unknown person, by, *48(6)*
- Warrant (Form 53) for arrest in case of, *48(4)*

### Persons in a Sanatorium, etc.

- Bedridden, votes of, how taken, *45(14)*
- Ordinary residence of, **328B**, *16(15)*

### Petition, Election. *See* Election Petition

### Pledges

- Signed by candidate, prohibited, **378**, *107*

### Political Broadcasts, *101*

### Poll

- Arms in, on polling day prohibited, **382**, *49(1)*
- Candidates to get statement of, (Form 58), **386**, *50(8)*
- Conduct of, *36-50*
- Date of, *21(1)*
- Grant of a, **284**, **368**, *25*
- Hours for opening and closing of, *31(5)*, *94(7)*
- Notice of Grant of a, (Form 30), **267**, **268**, **285**, *25(2, 4, 5)*
- Proceedings after close of, *50*
- Proceedings at opening of, *35*
- Secrecy of, **385**, *44*
- Statement of, (Form 58), **386**, *50(8)*

### Poll Book (Book B) (Form 40)

- Definition of, *2(26)*
- Deputy returning officer's statement in, *50(8)*
- Entries in, *36(6)*, *39*, *41(2)*, *42*, *43(8)*, *45(1, 6, 8, 10)*, *46(3)*

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Poll Book—*Con.*

- Furnished to deputy returning officer, 30(1) (*h*)
- Numbering electors' names in, 36(6)
- Placed in ballot box after poll, 50(9)
- Statement of poll (Form 58), bound in, 50(8)

### Poll Clerk

- Acting as deputy returning officer to appoint a new poll clerk, 26(7)
- Appointment of, (Form 33), by deputy returning officer, 274(6), 26(4)
- Appointment of substitute for, (Form 34), 26(7)
- Constable, powers as, in case of personation, 48(7)
- Duties of, 42
- Fees of. *See* Tariff of Fees at page 97
- Oath of, (Form 57), after counting votes, 50(7)
- Oath of office of, (Form 33), 274, 26(4)
- Payment of, 311, 312, 315, 60(3) (*a*)
- Qualifications of, 204(5), 274, 100
- Transfer certificate (Form 44) may be issued to, 296, 43(4)
- Who may not act as, 204(5), 100

### Polling Day

- Date of, 21(1)
- Definition of, 2(27)
- Holiday, procedure, 21(2)
- Political broadcast on, prohibited, 101
- Postponement of, 23
- Proclamation (Form 4) to indicate, 18(1)
- Publication of election results on, 108

### Polling Divisions

- Arms in, on polling day, 382, 49(1)
- Centralizing of polling stations for, 31(6)
- Definition of, 2(28)
- Division of electoral district into, 214, 11
- Division of lists of electors of, 271, 273, 33
- Polling stations in, 230, 270, 271, 11, 31, 33(2)
- Revision of boundaries of, 214, 11
- Rural, what are, 215, 2(35), 12(3)
- Subdivision of, 214, 217, 230, 271, 33(2)
- Urban, what are, 214(2), 2(38), 12(1, 2)

### Polling Stations

- Account for advance, (Form 159), 314
- Account for ordinary, (Form 101), 305, 311-316, 60
- Allowance for rental of. *See* Tariff of Fees at page 97

### Polling Stations—*Con.*

- Arrangements at, 272, 31
- Centralization of, 230, 271, 31(6)
- Definition of, 2(29)
- Directions to electors (Form 37) posted up outside and inside, 36(1)
- Election officers and agents employed at, may vote where employed, 296, 369, 43
- Hours of opening of, 31(5), 94(7)
- Location of, 230, 271, 11, 31(1, 6, 7), 33(2)
- Notice of Grant of a Poll (Form 30) to indicate, 267, 270, 25(2) (*c*)
- Number of, in polling division, 230, 271, 273, 31(1, 6, 7)
- Payment for rental of, 311, 312, 60(3) (*a*)
- Persons who may be present in, 34(1)

### Postage

- On ballot boxes mailed to deputy returning officers by returning officer, 291
- Stamps, purchase of, 206, 212

### Posters to Bear Name of Printer, 374, 71

### Postmasters

- Election officers may be sworn by, 213, 245(3), 274(5), 105(1)
- Liability of, 18(5), 25(5), 94(9)
- Posting up of Notice of Grant of a Poll (Form 30), by, 285, 25(5)
- Posting up of Notice of Holding of Advance Poll (Form 65), by, 289(5), 94(9)
- Posting up of Proclamation (Form 4), by, 229, 18(5)

### Postponement of Poll

- On death of candidate, 23(2)

### Preliminaries at the Poll, 35

- Preliminary List of Electors.** *See also* List of Electors and Official List of Electors
- Allowances for printing. *See* Tariff of Fees at page 95
- Candidates to receive, 241, 253, 365, 17(6)
- Definition of, 2(30)
- Electors in urban polling divisions to receive, 242, 17(7)
- Preparation of, (Form 24), in rural polling divisions, 243-247, 17(B3-11)
- Preparation of, (Form 8 or 161), in urban polling divisions, 232, 233, 17(A6-16)
- Printing of, 237-240, 249-252, 17(5, 13, 14)
- Revision of, in rural polling divisions, 263-265, 17(B13-24)
- Revision of, in urban polling divisions, 254-261, 17(A17-41)



References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

#### **Preliminary List of Electors—*Con.***

- Supplied to candidates, **241, 253, 365, 17(6)**
- Supplied to Chief Electoral Officer, **241 (1), 253(2), 17(8)**
- Supplied to revising officer, **260, 17(A25)**

**Presiding Officer.** *See* Deputy Returning Officer

#### **Priests**

- Not to be election officers, except in the electoral districts mentioned in Schedule Four printed at page 267, **204(5)(d), 100(1)(d), (3)**

#### **Printer's Affidavit**

- Re* printing of ballot papers (Form 36), **288, 28(6)**
- Re* printing of lists of electors (Form 10), **241(2), 253, 17(14) (a)**

**Printing of Preliminary List of Electors** (Form 24) in Rural Polling Divisions, **249, 253, 17(5, 13, 14)**

**Printing of Preliminary List of Electors** (Form 8 or 161) in Urban Polling Divisions, **237-241, 17(5, 13, 14)**

#### **Privilege**

- Not to excuse answering questions in election cases, **87**

#### **Proclamation** (Form 4)

- Allowances for printing. *See* Tariff of Fees at page 95
- By returning officer, **228, 18**
- Contents of, **228, 18(1)**
- Distribution of, **228, 229, 18(1, 4)**
- Mackenzie River, in, **18(2)**
- New, on death of candidate, **23(2)**
- Penalty for defacing, **373, 72**
- Posted up by postmasters, **228, 229, 18(5)**
- Printed in English and French in Quebec and Manitoba, **228, 18(1)**
- Printing of, **228, 18(1)**
- Yukon, in, **18(2)**

#### **Promises**

- As to election, void, **64**

#### **Property Qualification**

- None required by candidate, **19**
- None required by elector, **324, 14**

#### **Province**

- Definition of, **2(31)**

#### **Public Meetings**

- Peace and good order at, **380, 106**

#### **Public Notice**

- How given, **102**

#### **Public Work**

- Person temporarily engaged in a, **325(i), 16(12)**
- Wife or dependant of person temporarily engaged in a, **325(j), 16(13)**

### **Q**

**Qualification of Candidates, 19**

**Qualification of Electors, 324, 326-330, 14-16**

- Assumed if name on list of electors, **37**

**Qualifications and Disqualifications of Electors, 324-330, 14-16**

#### **Questions**

- By deputy returning officer, **40(2)**

### **R**

#### **Radio Broadcasts**

- Political broadcasts on polling day or on the two days immediately preceding it, prohibited, **101**
- Premature publication of election results, on polling day, prohibited, **108**

#### **Railway Employees**

- Advance polling rights of, **298, 371, 95(a)**

**Recapitulation of Votes, 306-310, 51, 54(8, 13)**

#### **Recount**

- Application for, how made, **317, 54(1)**
- Attendance of returning officer and election clerk at, **317, 54(5)**
- Casting vote by returning officer after, **319, 54(14)**
- Certificate by judge after, **319, 54(13)**
- Costs of, **54(15, 16)**
- Definition of, **2(32)**
- Disposition of election papers after, **318, 321, 54(12, 13)**
- Failure of judge to undertake, **55**
- Notice to candidate or agent of, **54(4)**
- Persons entitled to be present at, **317, 387, 54(5)**
- Powers of judge on, **317, 54(4-15)**
- Procedure upon, **317, 318, 54(7-15)**
- Production of papers at, **317, 54(5)**
- Recapitulation sheets (Form 138) for use on, **317, 319**
- Return after, **321, 389, 56(1)**

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Recount—*Con.*

- Security for costs of, 54(1)
- Time for, 317, 388, 54(1)
- Witnesses upon, 317, 387, 54(5)

### Refusal

- To take oath by elector, 39, 40

### Rejected Ballot Paper

- Definition of, 2(33)
- When ballot paper to be rejected, 50(2)

### Report by Chief Electoral Officer, 200, 391, 56(6), 58

### Report by Returning Officer

- Of proceedings (Form 91), 282, 321, 56(1) (b)
- Of proceedings on nomination, 282
- On death of candidate, 23(1, 4)
- On disappearance of ballot boxes, 52(6)

### Reserve Forces of Canadian Forces

- Advance polling rights of members of, 298, 95(b)

### Residence of Elector, 326-329, 16. *See also* Ordinary Residence.

### Results of Election

- Premature publication of, on polling day, prohibited, 108

### Return of Election Expenses (Form 61)

- Candidates must cause to be made, 323, 356, 362, 392, 394, 63(1)
- Correction of errors in, 394, 63(12-15)
- Forms of, (Forms 61-64), 207(3), 283, 362, 63(1)
- Inspection of, 323, 397, 63(6)
- Penalties for default in making, 396, 63(7, 8)
- Prompt making of, 396
- Publication of summary of, 323, 397, 63(5)
- Relief against penalties for default in making, 398, 63(12-15)
- Returning officer to keep, for six months, 323, 63(6)
- Statement of disputed accounts in, 394, 63(1) (c)
- Summary of, published, 323, 397, 63(5)
- Supplementary, 394, 395, 63(4-11)
- Verification of, 395, 63(2, 3, 10)
- Vouchers to accompany, 394, 63(2)
- Who must make, 323, 356, 63(1)

### Return to Writ (Form 1)

- After poll, 321, 56(1)
- After recount, 319, 56(1)
- By acclamation, 282, 56(1)
- Copies of, (Form 141), 282, 319, 321, 367, 389, 24(1), 56(3)
- Custody of, 59
- Delay in, 57
- Evidence of, not required, 88(1)
- Irregular, procedure upon, 56(4)
- Mode of making, 282, 319, 321, 56(1)
- Neglect to make, 57
- Report to accompany, (Form 91), 282, 321, 56(1) (b)
- Time for, 282, 321, 367, 389, 24(1), 56(1, 2)

### Returning Officer

- Account forms for services of, supplied by Chief Examiner of Election Accounts, 203(2)
- Accounts to be certified by, 210, 223, 236, 241, 266, 267, 283, 314, 315, 322, 60(4)
- Addition of votes by. *See* Addition of Votes (Official)
- Administration of oaths by, 213, 279, 363, 21(8), 105
- Advance poll certificates (Form 66), issued by, 298, 300, 302, 96(1) (a), (3) (f)
- Advance to, 211
- Affidavit of, *re* printing of lists of electors (Form 11), 241(2), 253(3), 17(14) (b)
- Appointment of, 203, 8
- Arms, may demand delivery of, 49(2)
- Arrest, powers as to, 48(1)
- Badges supplied to urban enumerators by, 233, 234, 17(A8)
- Ballot boxes, cleaning and repairing of, by, 269
- Ballot boxes, custody of, after poll, 304, 51(1)
- Ballot boxes, distribution of, by, 291, 30(1) (g)
- Ballot boxes, how obtained, by, 269, 27(3)
- Ballot boxes, instruction for return of, after poll, by, 292, 50(11)
- Ballot boxes, storage of, by, 320, 53
- Ballot papers, duties of, as to. *See* Ballot Papers
- Candidates' forms and supplies distributed by, 207(3), 362
- Candidates, relations with, 361
- Casting vote by, 310, 319, 51(6), 54(14)
- Certificate (Forms 20, 21) for errors in official list, issue of, by, 301, 302, 17(11, 12)
- Certificate of, when to be evidence, 90(2)

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Returning Officer—*Con.*

Certification of name of candidate obtaining largest number of votes at official addition, by, **310, 388, 51(5), 52(6)**  
 Chief Electoral Officer, communicates with, on all matters of procedure, **205**  
 Chief Examiner of Election Accounts, communicates with, *re* accounts, etc., **205**  
 Clerical assistants to, **203(5)**  
 Code words used by, **209**  
 Constables may be appointed by, **204(2), 49(1)**  
 Death of, **203, 8(2), 9**  
 Declaration of elected candidate by, **282, 319, 321, 367, 389, 24(1), 54(13), 55(8)**  
 Deposits, disposition of, by, **280, 284, 363, 21(12)**  
 Deputy returning officers to be appointed by, **204, 274, 293, 26**  
 Deputy returning officers to be paid by, **311**  
 Diary of duties of. *See* page 110  
 Dismissal of D.R.O.'s by, **293, 26(3)**  
 Disqualification as, **8(3), 100**  
 Disqualified from voting, **203, 14(2)**  
 Division of electoral district into polling divisions by, **214, 11**  
 Duties of, general, **204**  
 Election clerk appointed by, **203, 9**  
 Election clerk dismissed by, **203, 9**  
 Election clerk notifies Chief Electoral Officer of incapacity of, **203(3), 9(5)**  
 Election clerk paid by, in certain cases, **203**  
 Election expenses of candidates, duties of, as to. *See* Return of Election Expenses  
 Election fees warrants issued by, **204(1), 311-316, 60(3) (a)**  
 Election officers, selection of, by, **204, 224, 225, 274, 9, 17(A1-5), 17(B1, 2), 26**  
 Enumerators appointed by, **224, 225, 231, 245, 17(3), 17(A1-5), 17(B1, 2)**  
 Enumerators, disagreements between, settled by, **232, 17(A6)**  
 Enumerators, instructing of, by, **232, 245**  
 Enumerators' lists of electors (Form 8 or 24 or 161), printed by, **237-240, 249-252, 17(5)**  
 Enumerators' lists of electors (Form 8 or 24 or 161), received by, **234, 247, 17(A12, 15), 17(B9, 11)**  
 Enumerators replaced by, **235, 248, 17(A6), 17(B24)**  
 Expenses, sundry, of, **212**  
 Fees of, **203(2)**. *See* Tariff of Fees at page 94  
 Forms, distribution of, by, **207, 229, 233, 244, 260, 277, 279, 284, 291, 362, 30**

### Returning Officer—*Con.*

Forms received, to be checked by, **208**  
 Incapacity or illness of, **9**  
 Justice of the Peace, to have powers of, **204, 48(1)**  
 Landlords of polling stations to be paid by, **311, 315**  
 List of D.R.O.'s (Form 122), prepared by, **294, 26(2)**  
 List of enumerators (Form 142), prepared by, **231, 246, 17(3)**  
 List of, published in *Canada Gazette*, **8(4)**  
 Messengers appointed by, **292, 302, 50(9)**  
 Neglect of duty by, **200, 7(3), 57, 70**  
 Nomination, attendance of, at, **281, 21(13)**  
 Nomination, duties of, as to. *See* Nomination  
 Notice of Grant of a Poll (Form 30) sent to postmasters by, **285, 25(2)**  
 Notice of Grant of a Poll (Form 30), to issue, **267, 268, 285, 25**  
 Notice of Holding of Advance Poll (Form 65) printed by, **289, 94**  
 Notice of Holding of Advance Poll (Form 65) sent to postmasters by, **289(5), 94(8)**  
 Notice of location of office of, **227, 10(1)**  
 Notice of Revision (Form 14) distributed by, **259, 17(A23)**  
 Notice of Revision (Form 14) posted up by, **259, 17(A23)**  
 Notice of Revision (Form 14) printed by, **257, 258, 17(A23)**  
 Notification of issue of writ, by telegram, to, and acknowledged by, **226**  
 Oath of, (Form 2), **203, 9(1)**  
 Oaths, powers of, as to taking. *See* Oaths  
 Office opened and maintained by, **227, 10(1)**  
 Official agent, may not be, **203, 352, 62(3)**  
 Official agent, publication of name of, by, **278, 352, 357, 25(2), 62(1)**  
 Official list of electors distributed by, **291, 30(1) (f), 32(2)**  
 Place of nomination selected by, **228, 21(13)**  
 Poll clerk paid by, **311, 312, 315, 60(3) (a)**  
 Polling divisions, duties of, as to. *See* Polling Divisions  
 Postage, payment of, by, **212**  
 Powers of, when statement of poll (Form 58) missing, **306, 308, 51(4), 52(3-6)**  
 Preliminary list of electors (printed) distributed by, **241, 242, 253, 260, 17(6-8)**  
 Printing of preliminary list of electors (Form 8 or 24 or 161) by, **237-240, 249-252, 17(5)**  
 Proclamation (Form 4) distributed by, **229, 18**



References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in *italic type* (thus: 54(3)) are to sections of the Canada Elections Act.

### Returning Officer—Con.

- Proclamation (Form 4), issue of, by, **228**, 18
- Record book (Form 89) kept by, **215**
- Recount, attendance at, by, **317, 318, 54(5)**
- Removal of, **203, 8(3)**
- Reports by. *See* Report by Returning Officer
- Requisition for warrants sent to Chief Examiner of Election Accounts, by, **312**
- Responsibilities of, **204**
- Return to writ by, **282, 319, 321**. *See also* Return to Writ
- Revisal districts established by, **254**, 17(A20)
- Revisal office established by, **255, 17(A21)**
- Statement of changes and additions (Form 19 or 26 or 112) received by, **262, 265**, 17(9)
- Statement of changes and additions (Form 26) sent to candidates by, **265, 17(9)**
- Statement of poll (Form 58), missing, powers of, **308, 52(3-6)**
- Subordinate election officers appointed by, **204**
- Sundry expenses of, **212**
- Supplies, distribution of, by, **204, 207, 233, 244, 260, 362, 30**
- Supplies for. *See* List of Supplies No. One at pages 102 to 104
- Supplies, receipt of, by, **207, 13**
- Transfer certificates (Form 44) issued by, **296, 297, 302, 369, 43**
- Travelling by, **216-221**
- Urban preliminary lists mailed to various electors by, **242, 17(7)**
- Warrant stubs sent to Chief Examiner of Election Accounts, by, **316**
- Warrants for payment of certain fees, issued by, **204(1), 311-316, 60(3) (a)**

### Revising Officer

- Account of, (Form 117), **256, 17(A18)**
- Affidavit of objection to an elector (Form 15), 17(A27-29, 36)
- Application for corrections on list of electors made to, 17(A35)
- Application for removal of elector's name from list of electors made to, (Form 15), 17(A27-29, 36)
- Applications for registration on list of electors made to, 17(A32-34)
- Appointment of, as substitute for *ex officio*, (Form 12), **256, 257, 17(A17, 18)**
- Attendance of, at sittings, 17(A26)
- Candidate to be represented at sittings of, 17(A38)
- Constables, appointment of, by, 17(A39)

### Revising Officer—Con.

- Corrections on list of electors, how made, by, 17(A40)
- Definition of, 2(34)
- Disposition of papers by, **262, 17(A41)**
- Elector, objections to, (Form 15) on list, 17(A27-29, 36)
- Ex Officio*, who is, **256, 2(15), 17(A17)**
- Fees of. *See* Tariff of Fees at page 96
- Holiday, when sittings of, fall on, **258(3), 17(A26)**
- Hours of sitting of, 17(A26)
- Interpreter appointed by, 17(A37)
- List of names and addresses of, **257, 17(A22)**
- Method of revision of lists of electors by, **254-261, 17(A27-36)**
- Notice of Objection sent to elector by, (Form 16), 17(A28)
- Notice of Revision (Form 14) posted up by, 17(A24)
- Notice of Revision (Form 14) received by, **259, 17(A25)**
- Oath of substitute, (Form 13), **256, 17(A18)**
- Objection to name on list of electors (Form 15), 17(A27-29, 36)
- Office of, **255, 17(A21, 23, 24)**
- Order, preservation of, by, 17(A39)
- Powers of, 17(A39)
- Qualifications of, **256, 17(A18)**
- Reports of, to Chief Electoral Officer in cases of padding, etc., 17(A12)
- Sittings of, 17(A26)
- Statement of changes and additions (Form 19 or 112), by, **262, 17(A40, 41)**
- Statement of changes and additions (Form 19 or 112), sent to candidates by, 17(A40, 41)
- Statement of changes and additions (Form 19 or 112), sent to returning officer by, **262, 17(A40, 41)**
- Substitute to be sworn, **256, 17(A18)**
- Supplies for, **260, 17(A25)**. *See* List of Supplies No. Four at page 107

**Revision of List of Electors.** *See also* List of Electors, Official List of Electors, and Preliminary List of Electors

- Rural polling divisions, by enumerator, **263-266, 17(B13-24)**
- Urban polling divisions, by revising officer, **254-262, 17(A17-41)**

**Riding.** *See* Electoral District

### Royal Canadian Mounted Police

- Advance polling rights of members of, **298, 371, 95(b)**

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

## Rules as to Residence of Elector, 326-329, 16

### Rural Enumerator

- Account of, (Form 120), 247, 266
- Address of, 224, 246, 17(3)
- Alphabetical list of electors prepared by, 17(5) (b), 17(B10)
- Appointment of, (Form 5), 224, 245, 248, 17(B1)
- Certificate on preliminary list of electors (with Form 24), by, 17(B10)
- Days for enumeration by, 17(B4, 10, 13)
- Duties of, 224, 17(B3-24)
- Falsifying of lists of electors by, penalty for, 17(B8)
- Fees of. *See* Tariff of Fees at page 96
- House-to-house visits by, 17(B4)
- Impeding or obstructing, penalty for, 17(18)
- Index book of, (Form 23), 17(B5, 6, 9-11, 15-20)
- Index book (Form 23), names entered in, by, 17(B5)
- Index book (Form 23) used by, for revision, 17(B15-20)
- Instructions to, 245
- Liability of, 17(17)
- List of electors supplied to D.R.O. by, in special cases, 245, 17(B22), 32(3)
- List of names of, (Form 142), 246, 17(3)
- Names of women, how listed by, 17(B6)
- Names on list of electors arranged alphabetically, by, 17(5) (b), 17(B10)
- Notice of rural enumeration (Form 22) issued by, 17(B3)
- Oath of office of, (Form 6), 245, 17(B3)
- One only per poll, 224, 243, 245, 17(B1)
- Pens and pencils, must furnish his own, 245
- Posts up notice of rural enumeration (Form 22), 17(B3)
- Preliminary list of electors (Form 24), copy of, posted up by, 245, 17(B11)
- Preliminary list of electors of, (Form 24), copy of, available for inspection, 17(B11)
- Preliminary list of electors (Form 24), prepared by, 245, 17(B3-11)
- Preliminary list of electors revised by, 263, 17(B13-21)
- Preliminary list of electors sent to returning officer by, 245, 247, 17(B11)
- Qualified elector in electoral district, must be, 224, 17(B1, 2), 100(2)
- Replaced by returning officer, 248, 17(B24)
- Representatives of political interests, to allow, at revision, 17(B14)

### Rural Enumerator—*Con.*

- Revision of preliminary lists of electors by, 263-266, 17(B13-21)
- Selection of, 224, 17(B1, 2)
- Statement of changes and additions (Form 26), copy of, retained by, 17(B23)
- Statement of changes and additions (Form 26), prepared by, 17(B19)
- Statement of changes and additions (Form 26), sent returning officer by, 265, 17(B20)
- Supplies for, 244. *See* List of Supplies No. Three at page 106
- Tariff of fees for. *See* page 96
- Travelling allowance, not entitled to receive, 243

### Rural Polling Division. *See also* Polling Divisions

- Boundaries of, 214, 11
- Definition of, 2(35)
- Description of, in Notice of Grant of a Poll (Form 30), 267, 285, 25(2)
- Electors whose name not on list, may vote in, 204(4), 46
- Preparation of list of electors in, 245, 17, *Schedule B*
- Revision of boundaries of, 214, 11
- Revision of list of electors in, 263, 265, 365, 17(B13-24)
- R.O. advised by Chief Electoral Officer, as to, 214(2), 12

### Rural Revision. *See* Rural Enumerator

## S

### Sailors

- Advance polling rights of, 298, 371, 95 (a)

### Sanatorium

- Bedridden patients in, votes of, how taken, 45(14)
- Ordinary residence of persons in a, 328B, 16(15)

### Screens

- Furnishing of, 230, 270, 272
- Number of, 272, 31(2)

### Seals

- Gummed paper, (Form 116), use of, by D.R.O. on various envelopes, 207(4), 50(6)
- Gummed paper, (Form 111), use of, by R.O. on envelopes (Form 90), 307, 308(2), 318
- Special metal, for locking and sealing ballot boxes, 291, 309, 27(2), 50(9), 51(1), 97(1)

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

## Secrecy

- At poll, maintenance of, 44, 45(2, 9)
- Oath of, by agents at polling stations, (Form 39), 368, 34(2)

## Secretary of State

- C.E.O. communicates with Governor in Council through, 4(1)

## Signed Pledges by Candidates

- Forbidden, 378, 107

## Spirituos Liquors

- Sale or giving of, on polling day, forbidden, 383, 49(5)

## Spoiled Ballot Paper

- Definition of, 2(36)
- Elector to receive another ballot paper, 45(4)

## Standard Time

- Hours of the day calculated upon, 2(14)

## Statement of Changes and Additions

- (Form 19 or 26 or 112)
- Distribution of, to candidates, 265, 365, 17(9), 17(A41)
- Distribution of, to deputy returning officer, 262, 265, 17(B22)
- Distribution of, to returning officer, 262, 265, 17(9), 17(A41), 17(B20)
- Issue of, by revising officer (Form 19 or 112), 17(A40)
- Issue of, by rural enumerator (Form 26), 17(B19)
- Preparation of special, (Form 149), by R.O., when rural list is split up, 273(2), 33(7)
- Preparation of special (Form 19 or 112), by R.O., when urban list is split up, 273(3, 4), 33(7)
- Used as part of official list of electors, 273, 17(10)

## Statement of the Poll (Form 58)

- Enclosed in ballot box in special envelope, 50(8)
- Issue of, by deputy returning officer, 50(8)
- Powers of returning officer when, missing, 306, 308, 51(4), 52(3-6)
- Preliminary, issued by deputy returning officer, 50(10)
- Sent to candidates, 50(8)

## Statutory Declarations

- Who may administer, 213, 105

## Stereotype Block

- Definition of, 2(37)
- Supplied to returning officer, 277, 13(2)
- Use of, 277, 13(2), 28(5)

## Student

- Residence qualifications of, 326(2)

## Subornation of Personation

- Definition of and penalty for, 68, 69

## Substitute Revising Officer. *See* Revising Officer

## Summary Conviction

- Punishment upon, 78, 79

## Summer Residents

- Disqualified from voting, 325(g), 16(9)

## Supplies

- Candidates', 207(3), 279, 362
- Deputy returning officers', 274, 291, 30. *See* Lists of Supplies Nos. Five and Six at pages 108 and 109
- Distribution of, by Chief Electoral Officer, 207, 13
- Distribution of, by returning officer, 204, 207, 233, 244, 260, 362, 30
- Returning officers'. *See* List of Supplies No. One at pages 102 to 104
- Revising officers', 260. *See* List of Supplies No. Four at page 107
- Rural enumerators', 244. *See* List of Supplies No. Three at page 106
- Urban enumerators', 233. *See* List of Supplies No. Two at page 105
- Use of, after revision of Act, 116

## T

### Tariff of Fees. *See* page 94

- Chief Electoral Officer to recommend, 60(1)
- Governor in Council to make, 60(1)
- To be laid before House of Commons, 60(2)

## Teachers

- Residence qualifications of, 329

## Telegraphic Communication

- Election officers resort to, 206, 104

## Threats, 67

## Time Limitations

- Non-compliance with, not to invalidate election, 84

## Time Zones, 103



References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the Canada Elections Act.

### Transfer Certificates (Form 44)

- Agents at the poll entitled to, **296, 369, 43**
- Candidates entitled to, **296, 369, 43(3)**
- Deputy returning officers entitled to, **296, 43(4)**
- Duplicates of, transmitted to appropriate D.R.O.'s, **297, 302, 43(7)**
- Election clerk entitled to, **296, 43(4)**
- Issue of, by returning officer or election clerk, **296, 297, 369, 43**
- Poll clerks entitled to, **296, 43(4)**
- Voting upon, **43**

### Transportation Employees

- Advance polling rights of, **298, 371, 95(a)**

### Travel

- Deputy returning officer not entitled to allowances for, **274(2)**
- Election clerk, by, **203(4), 222**
- Messenger, by, **222, 292, 302**
- Returning officer, by, **216-221**
- Rural enumerator not entitled to allowances for, **243**

### Treating, **355, 379, 383, 66**

## U

### Undue Influence, **379, 67**

### Urban Enumerators

- Account of, (Form 109), **236, 60(5)**
- Act jointly, **17(A6)**
- Addresses of, **231, 17(3)**
- Alphabetical list of electors (Form 161), when prepared by, **232(4), 17(15)**
- Appointment of, (Form 5), **225, 231, 17(A1-5)**
- Badges returned to R.O. by, **234**
- Badges to be worn by, **233(3), 17(A8)**
- Candidates to nominate, **225, 351, 17(A3)**
- Days for enumeration by, **232, 17(A7, 13)**
- Disagreements between, returning officer to settle, **232, 17(A6)**
- Duties of, **232, 234, 17(A6-16)**
- Elector receives notice of enumeration (Form 7) from, **17(A7)**
- Elector receives notification card from, **17(A9)**
- Falsifying of lists of electors by, penalty for, **17(17), 17(A11), 60(5)**
- Fees of. *See* Tariff of Fees at page 96
- Geographical list of electors (Form 8) prepared by, **17(5) (a), 17(A13)**
- House-to-house visits by, **17(A7)**
- Impeding or obstructing, penalty for, **17(18)**
- Instructions for, **232(3)**

### Urban Enumerators—*Con.*

- Liability of, **17(17)**
- List of names and addresses of, (Form 142), **231, 17(3)**
- Manual, **201, 232(3)**
- Names on list of electors, when arranged alphabetically by, **232(4), 17(15)**
- Names on list of electors, when arranged geographically by, **17(5) (a), 17(A13)**
- Names of women, how registered, by, **17(A14)**
- Notice of enumeration (Form 7) by, issued to elector, **17(A7)**
- Notification card by, to be left at dwelling place, **17(A9)**
- Oath of office of, (Form 6), **231, 17(A1)**
- Pair of, **225, 231, 17(A1, 6)**
- Pens and pencils, must furnish their own, **233(5)**
- Political parties to nominate, **225, 351, 17(A3-5)**
- Polling division, number of, in each, **225, 231, 17(A1)**
- Preliminary list of electors (Form 8 or 161) posted up by, **232, 17(A16)**
- Preliminary list of electors (Form 8 or 161) prepared by, **232, 17(A13)**
- Preliminary list of electors (Form 8 or 161) sent to returning officer by, **234, 17(A15)**
- Qualifications of, **225, 231, 17(A1-5)**
- Replaced by returning officer, **235, 17(A4, 6)**
- Selection of, **225, 351, 17(A1-5)**
- Supplies for, **232, 233. See** List of Supplies No. Two at page 105
- Tariff of Fees for. *See* page 96
- Two, appointed for each urban polling division, **225, 231, 17(A1)**

### Urban Polling Division. *See also* Polling Divisions

- Boundaries of, **214, 267, 285, 11, 12**
- Definition of, **2(38)**
- Description of, in Notice of Grant of a Poll (Form 30), **267, 285, 25(2) (c)**
- Elector's name must be on list to be entitled to vote in, **204(4), 37(1)**
- Enumeration in, **17(A1-16)**
- Enumerators nominated by candidates in, **225, 351, 17(A1-5)**
- List of electors posted up in, **232, 17(A16)**
- Preparation of list of electors in, **17, Schedule A**
- Returning officer advised by Chief Electoral Officer as to, **214(2), 11, 12**
- Revision of boundaries of, **214, 11, 12**
- Revision of list of electors in, **17(A17-41)**

References in black face type (thus: 204) are to paragraphs of the By-Election Instructions; References in italic type (thus: 54(3)) are to sections of the *Canada Elections Act*.

## V

**Veteran Electors**

Right of voting by, 324(4, 5), 14(3, 7)

**Voter.** *See* Elector

Definition of, 2(39)

**Voters' Lists.** *See* List of Electors**Votes.** *See also* Addition of Votes (Official), Counting of Votes by Deputy Returning Officer, and Casting Vote

Canvassing for, by non-residents of Canada, prohibited, 76

Returning officer certifies name of candidate obtaining largest number of, at official addition, 310, 388, 51(5), 52(6)

Returning officer declares elected candidate having largest number of, 319, 321, 389, 54(13), 55(8)

**Voting**

At advance polls. *See* Advance Polls

Election officers, provisions as to their, 296, 297, 43

Illegal, penalty for, 69

Instructing electors as to, 45(2)

Interference with, 385, 44(1) (a)

Manner of, 45

Once only permitted, 37(3)

On transfer certificate (Form 44), 43

Secrecy of, 44, 87

Time for, to be allowed employees, 47

To be by ballot, 28(1), 45(1)

## W

**Warrants.** *See* Election Fees Warrants**Weapons.** *See* Arms**Wife**

Evidence of, 86(5)

How entered on list of electors, 17(A14), 17(B6)

Of Indian veteran, 324(6), 14(4)

Of person temporarily engaged in a public work, 325(j), 16(13)

**Withdrawal of Candidates, 295, 363, 22****Women**

Eligible as candidates, 19

Eligible as electors, 324, 14

Names of, how entered on list of electors, 17(A14), 17(B6)

Qualifications of, as electors, 324, 14

**Writ of Election (Form 1)**

Addressed to returning officer, 226, 7(2)

By-election, for late, superseded and withdrawn, 113

Date of, 7(2)

Definition of, 2(40)

Governor in Council may withdraw, in case of disaster, 7(4)

Issued by Chief Electoral Officer, 226, 7(2)

Nomination day to be named in, 226

Polling day to be named in, 21(1)

Proceedings on issue of, 226, 7(3)

Production of, not required in actions, 88(1)

Return to. *See* Return to Writ

## Y

**Yukon**

Nomination of candidates in. *See* Schedule Four printed at page 267

Payment of election officers in, 60(3)

Police magistrates in, ineligible as election officers, 204(5)(e), 100(1) (e)

Publication of Notice of Grant of a Poll (Form 30) in, 25(2)

Publication of Proclamation (Form 4) in, 18(2)

**Yukon Territory**

*Canada Elections Act* to apply to elections of members to serve in the Council of the, 115







